
Berrien County and City of Nashville

Urban
Redevelopment Plan



Introduction

In 2011 the Georgia Department of Community Affairs notified the Southern Georgia Regional Commission (SGRC) of their annual competitive housing activities Request for Proposals (RFP) to award of grant monies for activities related to communities participating in the Georgia Initiative for Community Housing (GICH). Upon consultation with Berrien County, the only county within the region which was participating in the initiative at that time, the Berrien County GICH Board decided to proceed with an RFP proposal for both a Housing Assessment and an Urban Redevelopment Plan for the City of Nashville and the county. On June 22, 2011 the RFP proposal was chosen for funding in the amount of \$11,250, with a \$3,750 local match from the City of Nashville.

The Urban Redevelopment Plan (URP) is the first step towards revitalizing housing in Berrien County and the City of Nashville. The URP contains two elements vital to the effective redevelopment of the identified target areas located in the city. The first element is a Housing Inventory/assessment, which is a field and GIS survey that provides the city and the county with spatial and tabular data to delineate the redevelopment areas and to plan for the redevelopment of these areas. This survey provides the basis for the delineation of the Urban Redevelopment Area, and prompts a resolution by the County Commission and the City Council to declare the need for an Urban Redevelopment Plan. The second element is the creation of an Enterprise Zone by a resolution that clearly outlines how the negative conditions found in the Urban Redevelopment Area meet the definition of poverty, underdevelopment, general distress, slum and blight as outlined in the Georgia Urban Redevelopment Act (O.C.G.A. 36-61-1).

A housing assessment was conducted for each of the two target areas in 2011. The assessments included a windshield survey of all structures within the target areas, photographs of select homes representative of the general characteristics of the area, the development of interactive maps of the area and the compilation of data and data analysis. The overall goal of the assessments is to identify housing conditions within the target areas and to identify empty lots and homes that are ready for development and rehabilitation. The assessments will provide a good basis for understanding the overall property condition in the neighborhoods, and consequently future redevelopment and redevelopment opportunities. In addition, it provides the legal framework for confirming the study areas as containing “slum and blight” as defined by the official State of Georgia Urban Redevelopment Act.

Additional inventories may be conducted as the redevelopment program progresses and evolves.

Using appropriate private and public resources, the objectives of this Urban Redevelopment Plan are to:

- Revitalize blighted, deteriorating areas within the target areas
- Support nuisance ordinances in order to reduce litter and crime
- Allow the county and the city to recue or abate local property taxes and regulatory fees (through the use of an Enterprise Zone)

- Encourage compatible infill development and define architectural character
- Facilitate affordable housing
- Allow for sidewalks, safer streets, and pedestrian accessibility
- Revitalize underutilized land for vibrant and productive uses
- Allow for the creative financing of public facilities and/or infrastructure
- Preventing the spread of slum and blight through revisions to appropriate land use codes and on-going code enforcement
- Clean up environmental hazards and enable the reuse of brownfields
- Adaptively use vacant and/or historic structures and obsolete facilities
- Develop safe, affordable housing for citizens with a variety of income levels and special needs
- Stimulate the revitalization process through the elimination of slum and blight through diligent code enforcement and creative public private partnerships
- And to create a sense of place by incorporating the strengths and character of the neighborhoods into the revitalization process.

As part of the Urban Redevelopment Plan, changes to the Berrien County and/or the City of Nashville's current land development regulations may be necessary to implement the Plan will be identified and recommended. Additionally, the City's future land use goals will be examined to ensure compliance of this Urban Redevelopment Plan with existing regulations and the Berrien County Comprehensive Plan. Public input will be solicited and any comments and/or recommendations will incorporated into the Plan. Finally, once the City Council and County Commission has completed a review of the Urban Redevelopment Plan, they will formally adopt it and begin the revitalization strategy.

The Urban Redevelopment Act

The Urban Redevelopment Act (O.C.G.A. 36-61-1 et. seq.) was adopted in 1955 by the Georgia General Assembly. The 1950s were a period when many Federal resources were focused on improving living conditions and addressing poverty and blight in American cities. Most states, including Georgia, created state enabling legislation to access Federal Housing and Urban Renewal funds. Much has changed since O.C.G.A. 36-61-1 was adopted. Fewer federal funds are now available for community redevelopment, and over the last five decades many lessons have been learned about the economics of adaptive reuse and historic preservation, creating livable communities, and the positive and negative social impacts of physical design. Still, for Georgia cities and counties embarking on community revitalization projects, the Urban Redevelopment Act remains the most powerful, flexible and easy to use legislative tool governing the use of eminent domain and bond financing to support successful public/private revitalization partnerships.

The Urban Redevelopment Act (the “Law”) gives cities and counties in Georgia specific powers to rehabilitate, conserve or redevelop of any defined geographical area that is designated as a “slum area.” As a prerequisite to exercising these powers, the city council or county commission must adopt a resolution finding that the area constitutes a “slum area” as defined by the Law and that redevelopment of the area is “necessary in the interest of the public health, safety, morals, or welfare” of the residents of the jurisdiction. In addition to designating by resolution an “urban redevelopment area” appropriate for redevelopment projects, the Law requires adoption by the local government of an urban redevelopment plan for the target area.

The word “urban” in the title is actually misleading, since the Law is applicable to, and can be especially useful in, very small rural communities and even suburban settings. In fact, rural counties were among the first governments to use the Law for the purpose of rehabilitation of deteriorating neighborhoods or increasing their supply of affordable housing. Unfortunately, there is no actual record of how many urban redevelopment plans have been implemented using this statute, since the law does not require local governments using the Urban Redevelopment Act to report to or seek approval from a state agency.

Another factor that has reduced the use of this Law is that it is easily confused with the similarly titled Urban Redevelopment Powers Act (O.C.G.A. 36-44-1), which authorizes tax allocation districts. Although both laws have community development as their goals, the Urban Redevelopment Powers Act is more procedurally complex, more difficult to implement, and has a much narrower focus and applicability.

Today, with suburban sprawl encroaching on an ever-shrinking supply of undeveloped land, the pendulum of public policy and city planning theory have swung away from separation of land uses that characterized the zoning ordinances of the 1970’s and 1980’s. Land use patterns based primarily on accommodating automobiles are now being retrofitted successfully with denser, more pedestrian oriented and use integrated development modeled on the layout and aesthetic components that are so livable in the historic cores of our Georgia cities. Neo-traditional

development principles (often labeled “smart growth”) include: traditional gridded street patterns, smaller lots, narrower streets and setbacks, pedestrian circulation systems and village style neighborhood commercial nodes. The residential densities and lot sizes drawn from Georgia’s historic districts have also proved to be good patterns for building more neighborly neighborhoods. These design elements along with a synergistic mix of land uses, are proving very marketable. While suburbs still house a large percentage of America’s population, there is growing evidence that many people are gravitating toward neighborhoods with more nightlife and cultural diversity as well as a less stratified socioeconomic mix. Creating new housing within walking distance of downtown and neighborhood commercial nodes; adaptively using vacant mills, warehouses, and factories; and amending local fire and building codes to allow upstairs loft living in historic downtowns are common success stories based on reintegrating uses and exciting people places with varying levels of activity and interactivity.

The Urban Redevelopment Act can be used alone, or in combination with many of Georgia’s other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, rehabilitate older homes and neighborhoods, ensure architecturally compatible infill development, and generate new adaptive uses for old industrial and agricultural facilities. O.C.G.A. 36-61-1 offers solid support for innovative and thoughtfully crafted development strategies needed to solve the problems of these designated target areas.

The Urban Redevelopment Act has become more relevant recently for a variety of reasons. First, some sectors of the population (especially aging baby boomers, younger singles, and couples) are becoming increasingly interested in moving from the suburbs, which require long commutes to work, back into neglected section of large cities or relocating to small, charming towns. Second, our supply of affordable housing is aging and shrinking while the population needing this housing is growing; so many governments are looking to provide moderate income residents with viable options to manufactured housing. Third, at the state policy level, legislators and state agencies are encouraging cities and counties to be more strategic and creative in combining the state’s wide array of legislative, programmatic and funding tools for community revitalization. Accordingly, adopting an urban redevelopment plan pursuant to the Law has now been added as a threshold criterion for accessing some important development incentives. Communities are being encouraged to focus multiple resources and tools in target areas that are economically disadvantaged or held back by impediments that discourage private sector investment.

Changes to Georgia’s brownfield regulations and new streamlined programs created by the Department of Natural Resources (DNR) now reduce liability for innocent investors (private or governmental) seeking to redevelop brownfield sites and offset site cleanup costs with tax incentives. These constructive changes should help Georgia attract private investors to sites that were not economically viable previously, many of which are in or near downtowns and older neighborhoods. The Law is a promising tool for brownfield redevelopment because it simplifies land acquisition and allows the public sector to help finance infrastructure or related improvements.

Additionally, several programs created or administered by the Georgia Department of Community Affairs (DCA) have been modified based on refinements to state planning statutes. Progressive communities that adopt urban redevelopment plans (especially in combination with other innovative redevelopment tools) may now be eligible for higher job tax credits and more competitive scoring on Community Development Block Grant (CDBG) applications. These program initiatives were designed to enable both urban and very rural communities to create more effective strategies to address pockets of poverty.

Compared to some of Georgia's other planning and community development statutes, the Urban Redevelopment Act is straightforward, flexible and free from unnecessary red tape. The Law also does a good job of balancing the community's need to remove the barriers to its overall economic development created by slum and blight with protection of the rights of property owners, and low income residents in particular.

Consistency with Comprehensive Plan

The planning and implementation goals of this Urban Redevelopment Plan are consistent with the overall goals and policies of the Greater Berrien County 2025 Comprehensive Plan. Specifically, the following Comprehensive Plan goals and policies were used to guide the vision of this Urban Redevelopment Plan.

Cultural Resources

Goal 1: **To encourage the protection and conservation of the rich historic heritage in Berrien County and the Cities of Alapaha, Enigma, Nashville, and Ray City.**

Policies

- Policy 1.8: By 2013 develop land use regulations to protect historic structures and sites and prohibit encroachment of surrounding uses.
- Policy 1.9 The City of Nashville should consider the development and adoption of a historic overlay district which should be coordinated with the Nashville Historic Area ARSA.

Economic Development

Goal 2: **Create and maintain a long-term sustainable and diverse economic base.**

Policies

- Policy 2.3: Develop and promote a multifaceted tourist program for kayaking, canoeing, fishing, etc.
- Policy 2.4: Promote the low Insurance Services Office (ISO) rating as an incentive to attract more residents.
- Policy 2.5: Continue to support the Work Ready Program by encouraging residents to obtain their Work Ready Certificate, coordinating with the School Board to improve graduation rates, and forming partnerships with the School Board and local businesses.
- Policy 2.6: Complete and continue to enhance the infrastructure facilities that serve the 175 acre industrial park site.
- Policy 2.7: Coordinate with the Berrien County School Board to find ways to improve education throughout the county.
- Policy 2.8: By 2012 establish an ongoing Committee with representation from the County and Moody Air Force Base to identify and foster mutually beneficial growth and development projects and programs within the area.

Housing

Goal 3: **Ensure that all residents within Greater Berrien County have access to quality and affordable housing.**

Policies

- Policy 3.1: Research the Community Housing Investment Program (CHIP) and Community Development Block Grant (CDBG) funding opportunities that can help develop good low income housing.
- Policy 3.2: By 2011 identify affordable housing properties and create a listing that will be available to the public.
- Policy 3.3: City of Nashville should develop a Special Needs Housing program to ensure people and families of all abilities have ample housing opportunities within the City.
- Policy 3.4: Support and enhance Code Enforcement departments and personnel throughout the County.
- Policy 3.5: Identify areas where infill housing can be accommodated within the County, and coordinate with the property owners to coordinate public and private funds and efforts.
- Policy 3.7: Consider the development of land use regulations for the location of mobile home parks within each community.
- Policy 3.8: Encourage the improvement of maintenance standards for mobile home park developments.

Natural Resources

Goal 4: **Establish and maintain the conservation and protection measures for natural areas, where those areas would be endangered by development. These areas include, but are not limited to, floodplains, wetlands, groundwater recharge areas, protected river corridors, forested hardwood areas and areas where Georgia and Federally Endangered species and habitat exist.**

Policies

- Policy 4.7: Prepare plans for additional walking paths for future TEA Grant funding consideration.
- Policy 4.8: City of Nashville should investigate the feasibility and appropriateness of a Green Space Plan to protect natural and open areas within the City.

Land Use

Goal 5: **Protect and enhance the value of existing development areas; promote development and redevelopment within urbanized areas; create and enhance stable neighborhoods; and maintain accessible open space for future land use opportunities.**

Policies

Policy 5.1: Continue to promote the diversification of the tax base through land use regulations that provide incentives for, and minimize impediments to, appropriate development.

Policy 5.7: Develop a county-wide zoning ordinance by 2013.

Community Facilities and Services

Goal 6: **Develop and maintain public services and facilities to accommodate existing development and to encourage future sustainable growth in areas where community facilities and services are provided at adequate capacities.**

Policies

Policy 6.1: Identify and obtain additional properties for recreational and youth sports programs throughout the county.

Policy 6.2: By 2011 develop a Capital Improvements Program for the City of Nashville that supports current and future growth patterns within the City.

Policy 6.5: The City of Nashville should develop a Bicycle Routes Master Plan to facilitate alternative modes of transportation and healthier lifestyles by 2012.

Policy 6.7: Research funding sources for road resurfacing projects.

Policy 6.8: Continue to apply for and participate in the State's LARP program.

Urban Redevelopment Plan Policies and Action Items

Housing:

Policy: To fund and assist programs that encourage an increased rate of homeownership within the Urban Redevelopment Area.

Action Items:

1. Provide funding to DCA and HUD certified organizations that carry out homebuyer education programs. Existing programs will be modified to include home maintenance, budgeting, financial management, neighborhood relationships and other topics as needed.
2. Provide and coordinate CDBG funds with other funding sources for down payment assistance and mortgage guarantees.

Policy: To fund and/or coordinate with local providers to provide opportunities for homeowner and renter occupied housing rehabilitation in the Urban Redevelopment Area.

Action Items:

1. Identify a certified lead paint contractor who could test and abate lead, as appropriate, in any units constructed prior to 1979 that receive funds from CDBG or other HUD programs for rehabilitation.
2. Coordinate CDBG funds, CHIP program, and HOME funds to establish grant/loan programs for homeowner repair.
3. Utilize CDBG funds to establish a single-family rental rehabilitation loan program.
4. Collaborate with faith-based organizations to provide volunteer opportunities for homeowner repair.
5. Collaborate and provide funding to DCA and HUD certified organizations that carry out homeowner maintenance.

Policy: Analyze the barriers to affordable housing in the URP Area and implement steps to alleviate them.

Planning:

Policy: To assess the needs of all neighborhoods in the Urban Redevelopment Area in order to establish long range implementation strategies to address their needs.

Action Items:

1. Prepare revitalization strategies for all neighborhoods within the Urban Redevelopment Area.

2. Review and recommend revisions to the local subdivision and zoning ordinances in order to alleviate barriers in the Urban Redevelopment Area.
3. Develop a Performance Measurement System to assess the overall improvements in the neighborhoods within the Urban Redevelopment Area.

Public Facilities Programs

Policy: To support the acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements to: (1) meet health and safety regulations; (2) to upgrade and maintain the viability of neighborhoods where low and moderate income families reside; and (3) provide handicap accessibility to public facilities.

Action Items:

1. Assist with funding improvements to parks facilities that are located in the Urban Redevelopment Area, to include parks located adjacent to Public Housing Areas.
2. Provide funding to eliminate architectural barriers in public facilities that do not comply with the minimum requirements of the American with Disabilities Act.
3. Promote the construction of sidewalks in the Urban Redevelopment Area to provide safe walking areas separate from city streets.

Public Service Programs

Policy: To provide resources to improve the community's public services; including but not limited to employment, crime prevention, childcare, health, drug abuse, education, and recreational needs.

Action Items:

1. Develop and implement a competitive process for service providers to access CDBG funds for eligible public service projects in the Urban Redevelopment Area.
2. Clearance and demolition of vacant and hazardous lots and structures located within the Urban Redevelopment Area.
3. Collaborate with the Nashville Police Department to organize and maintain neighborhood watches in the designated target areas located within the Urban Redevelopment Area.

Special Needs Population:

Policy: Support agencies and programs that work to improve the quality of life of our citizens with special needs.

Action Items:

1. Seek supportive housing opportunities for elderly by pursuing the donation of publicly-owned land within the URP Area in order to reduce the cost of housing production.

Boundaries of the Urban Redevelopment Area (URA)

The target area is separated into two physically distinct areas that were inventoried separately. Target Area 1 includes lots fronting both sides of John Street and Ann Street within the City of Nashville, as well as the south side of Marion Avenue between Dennis Avenue and Ann Street, both sides of Washington Avenue between Dennis Avenue and Ann Street, and the north side of McPherson Avenue between Dennis Avenue and Ann Street. Target Area 2 includes the two large parcels at the southeast and southwest corners of North Taylor Street and Perkins Drive within the City of Nashville. A map of both Target Areas has been included in Appendix C.

Negative Conditions of the Urban Redevelopment Area (URA)

In 2011 housing assessments were conducted of all the parcels located within each Target Area of the Urban Redevelopment Area. Evidence from the assessments indicated negative conditions exist within the URA, and are detailed below.

Slum and Blight, Including Deleterious, Obsolete, and/or Unoccupied Building(s)

The results from the housing assessments indicate the URA contains numerous dilapidated and deteriorated structures that qualify as slum and blight under the Urban Redevelopment Act. Specifically, out of the 72 parcels, approximately 56 were found to contain structures/residences in place, and out of those 56 parcels, 38 (68%) structures were identified as dilapidated. All dilapidated structures were residential. Dilapidated structures are those that are obsolete and/or visibly decayed due to age, wear, and neglect. Dilapidated buildings usually require major repair, or are structurally unsound to the point of being a threat to public safety.

The URA also included 14 deteriorated structures, of which 11 were in residential use, two were in commercial use and one was a church facility. Deteriorated structures may also be considered obsolete if the structure is over 40 years old. These structures are those that require minor repairs and/or standard maintenance to return them to sound condition.

While conducting the assessments, many of the dilapidated and deteriorated structures appeared to be vacant. Vacant structures can present a threat to public health and safety. In addition, the assessments identified 16 parcels without structures which are undeveloped or now vacant (unimproved).

Dilapidated and deteriorated structures are interspersed throughout the URA. Target Area 2 was found to be the most blighted neighborhood, and is located in the heart of the historic Nashville neighborhoods.

Potential Brownfields or Greyfields

The term brownfield describes land previously used for industrial or certain commercial purposes that is contaminated by a hazardous substance or pollutant. Typically, the expansion, redevelopment or reuse of brownfields may be complicated by the presence or potential presence of such contaminants. Common brownfields include land that occupied former factories or industrial areas. Smaller sites, such as those that once contaminated gas stations or dry cleaning businesses may also exhibit brownfield characteristics. There is no knowledge of existing brownfields located within either of the Target Areas of the URA.

Constitutes an Economic or Social Liability

In general, the vacant and dilapidated properties within the URA are an economic and social liability to the City, as the parcels within the area are either substantially underutilized, do not promote business growth and retentions, or do not serve as a community focal point. Also, the dilapidated and deteriorated properties contribute little to the tax income of the state, Berrien County and the City of Nashville due to their low assessed tax value.

Detriment to Public Health, Safety, Morals and/or Welfare

Overall, the blighted properties within the URA are detrimental to public welfare, as they do not contribute to the well-being of the community. The majority of the homes in Target Area 2 are currently abandoned, and the grounds are overgrown and unkempt. The empty structures have been vandalized with graffiti, and the open buildings invite pests and criminal and nefarious activities. These unoccupied structures, as well as others in Target Area 1, are detrimental to public health and safety, and pose potential fire hazards.

Deteriorated or Inadequate Infrastructure

Several infrastructure deficiencies were noted while the property conditions survey was being undertaken. In general, the URA is lacking in pedestrian and bicycle access. Sidewalks and bicycle lanes are especially needed in residential areas. Additionally, many of the aging water and sewer lines within the Target Areas need replacing. Furthermore, the addition of curbs and gutters could enhance those streets without them as well as offer improved stormwater runoff.

Community's land Use Objectives

The City of Nashville's land use objectives are consistent with the Urban Redevelopment Plan contents. The two categories of land use noted while conducting the surveys for this Plan were: Commercial (C) and Residential (R). Appendix C, Map C.5 contains the Berrien County existing land use map.

Zoning is an integral part of redevelopment and should be consistent with all objectives in this plan. There are a total of five (5) zoning districts within the URA. Within Target Area 2, the western parcel is zoned "One and Two Family Residential (DR-10)", and the eastern parcel is zoned "Residential (R-6)". Within Target Area 1 there are seven properties along the western boundary that are designated "General Business (GB)", eight properties along Marion Avenue with the "Residential Professional (RP)" zoning designation, and the remaining properties are zoned "Residential (R-6M)". A zoning map for the City of Nashville can be found in Appendix C, Map C.6.

Description of Property to be Acquired

No parcels of property are to be acquired by the City of Nashville or Berrien County at this time. Should circumstances change making property acquisition probable or necessary, this plan will be amended to reflect these changes.

Covenants and Restrictions to be Placed on Properties

No covenants or restrictions will be placed on properties at this time. Should property covenants and/or restrictions be adopted in the future, this plan will be amended to include such covenants and/or restrictions.

Structures to be Demolished, Relocated or Rehabilitated

During the creation of this Urban Redevelopment Plan no structures in the URA were identified to be demolished, relocated or rehabilitated. However, it is anticipated that future phases of redevelopment will require the demolition, relocation or rehabilitation of certain dilapidated and/or deteriorated structures. Such property or properties may be acquired by the City of Nashville through eminent domain. Should the demolition, relocation or rehabilitation of buildings be required in future phases of the Urban Redevelopment Plan, the Plan will be amended to reflect those changes.

The rehabilitation, relocation or demolition of dilapidated and deteriorated structures as necessary will be addressed as the City of Nashville develops experience through the implementation of the Urban Redevelopment Plan. Many concerns that citizens often have regarding redevelopment are addressed in the Frequently Asked Questions (FAQ) section of this plan. The Condemnation Checklist illustrates the process that the City will undertake, should the City proceed with acquiring property through eminent domain. General Redevelopment documents and agreements regarding dispensation of targeted properties as applicable to this Plan have been provided in Appendix G.

Strategy for Relocating Displaced Residents

The City of Nashville has determined that the development of a relocation strategy is not necessary at this time. The City of Nashville is targeting only revitalization of unoccupied slum and blighted areas and therefore, no relocation of residents will occur. In the event displacement of residents becomes necessary at a later date, the Urban Redevelopment Plan will be amended to incorporate a strategy/plan for relocating displaced residents in accordance with all local and state statutory requirements.

Historic Preservation Considerations

While Berrien County does not have an Historic Preservation Ordinance, the City of Nashville did adopt one in 2005. However, the Historic Preservation area for the City does not include any of the proposed URA areas. Thus, there are no designated historic districts within the area. Furthermore, there are no nationally registered places within the URA.

Strategy to Alleviate Barriers to Affordable Housing

Federal Barriers: The City's affordable housing and neighborhood revitalization efforts cannot become a reality without anticipated HUD funds. The city has limited resources available to provide decent, safe and affordable housing to very low-income residents, many of whom are elderly and live on fixed incomes. Local non-profit organizations, with limited support from the city, have managed to build or rehabilitate housing units and improve the immediate surroundings of those areas in which these activities have taken place. The city, service providers, private sector and low-income Nashville residents need the federal government and HUD in particular, as a major financial partner in the provision of affordable housing and revitalization of its neighborhoods. The city understands that these anticipated funds come with regulations that may often present challenges to the city's affordable housing efforts. The city will work with HUD to identify these challenges and to develop programs that work effectively in context to these regulations.

State Barriers: In the absence of any brownfield sites or historical districts or sites, there are no known state barriers to the development of affordable housing within the Urban Redevelopment Area.

Local Barriers: The city and the county will refine, change and create programs that will enhance affordable housing efforts and inner city neighborhood revitalization. Some of the existing barriers include better land use and building code regulations and the enforcement of the regulations. Other barriers will be analyzed, and where appropriate, modified. Zoning regulations will be reviewed in order to encourage in-fill development in existing neighborhoods.

Private Sector Barriers: The city and the county should push for sensible relaxation of underwriting criteria used by banks and other financial institutions that participate in the city's housing partnership. Other barriers will be identified, analyzed, and, where appropriate, changed. The city and county will work with local financial institutions to encourage activities that contribute to reinvestment in the community.

Public Infrastructure Improvements

Transportation Improvements

There are no sidewalks or bicycle lanes located within the URA. Sidewalks should be constructed in all residential areas for the safety and accessibility of pedestrians. Bicycle lanes should also be added on major thoroughfares such as Marion Avenue to provide a safe alternative to vehicle usage.

Utilities Improvements

Within Target Area 1 around Washington Street there are older terra cotta sewer lines that are in a state of deterioration and disrepair. The water lines in the area are comprised of a combination of galvanized and cast iron pipe, and are also in disrepair. Target Area 2 is also an older section of town, and the sewer lines are terra cotta pipes. The water lines in Target Area 2 are a combination of transite and cast iron. Both the water and sewer lines in Target Area 2 are in need of repair, but have been targeted for replacement.

Strategy to Leverage Private Resources for Redevelopment

The City of Nashville has identified a resource to encourage development. Upon completion of the Urban Redevelopment Plan, the City of Nashville intends to pursue Enterprise Zone designation for the eligible target areas.

Enterprise Zones enable a community to capitalize on potential incentives for businesses locating or expanding within these areas. With an enterprise zone designation, the City of Nashville is allowed to waive or reduce local regulator fees within the enterprise zone area, such as occupational taxes, license fees, and building inspections and/or permitting fees for qualifying businesses. Abatements for ad valorem tax are also available in designated Enterprise Zones. Such tax abatement will be decided upon by the City of Nashville, but must not exceed the schedule designated under the Urban Redevelopment Act. These abatements apply to residential and commercial properties, but exclude taxes imposed by school districts and for general obligation debt. Benefits are available to any business enterprise which includes retail, manufacturing, warehousing and distribution, processing, telecommunications, tourism, research and development, new residential construction and rehabilitation. Additionally, service enterprises made up of finance, insurance, certain real estate activities, and day care facilities are eligible for incentives within the area.

The City has agreed to waive their portion of the property taxes on the reassessed value of property after rehabilitation/redevelopment has taken place. After year six, property tax begins to increase whereby after year ten, 100% of taxes will again be collected on the property. It should be noted that property taxes will be collected during this entire period based on the original assessment and will increase based on the schedule below.

City of Nashville: Local Property Tax Exemption Schedule for Qualifying Businesses within an Enterprise Zone

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
100%	100%	100%	100%	100%	100%	80%	60%	40%	20%

The documentation that is needed for an area to qualify as an Enterprise Zone are as follows:

1) Pervasive Poverty

The City of Nashville suffers from pervasive poverty that is widespread throughout the target areas. However, data regarding block level poverty levels is not available. Of the eight census blocks comprising the target areas, none have a population over 100 in 2010, and only 1 block had a population over 100 persons in 2000. However, in 2009 the Five Year American Community Survey conducted by the Census Bureau indicated the City of Nashville had a poverty level of 25.8%, well above the State of Georgia's poverty level of 15%.

2) General Distress

The target areas identified in the Urban Redevelopment Plan suffer from general distress and adverse conditions as evidenced from the data collected. Indicators of distress and adverse conditions are outlined as follows:

The housing assessment survey contained within the Urban Redevelopment Plan indicates that 93% of all structures within the target area are either deteriorated or dilapidated, and approximately 19% of all parcels are vacant.

3) Unemployment

Unfortunately, unemployment rates for the block level are not available below the county level. However, according to www.citydata.com the March 2011 unemployment rate for the City of Nashville was 11.5%, above the State of Georgia's unemployment rate of 9.8%.

In addition, the two target areas have lost 90 people between the last two censuses, representing a 33% decline in the local population.

Furthermore, the city has experienced significant job losses, as the major employer within the area (Chaparral Boats) had to reduce its workforce from 1,100 to 368.

4) Underdevelopment

The housing assessment surveys identified 14 parcels (19% of all parcels in the target area) that are currently vacant. In addition to this, there were approximately 25 structures that had been abandoned. Together, vacant parcels and abandoned structures account for more than half of all properties within the target areas. In addition, no new

residential building permits were issued within the target areas in the years 2009-2011. In the City of Nashville 5 new residential permits were issued since 2009.

5) General Blight

The two target areas identified in the City of Nashville suffer from general blight as evidenced by the inclusion of the areas within the designated Urban Redevelopment Area as defined by paragraph (20) of the Official Code of Georgia Annotated Section 36-61-2 for which an urban redevelopment plan will be adopted.

Strategy for Implementing the Urban Redevelopment Plan

Implementation of the Urban Redevelopment Plan is expected to occur over two or more phases, as deemed necessary by the City of Nashville. Phase I and II are detailed below.

PHASE I – Formal adoption by resolution of the Urban Redevelopment Plan and Enterprise Zone; and organization and adoption of the Urban Redevelopment Agency and coordination of the Urban Redevelopment Plan’s administration.

In addition to adopting the Urban Redevelopment Plan and Enterprise Zones, the City of Nashville City Council will create an urban redevelopment agency, an advisory board charged with the responsibility of overseeing the Urban Redevelopment Plan’s implementation. The City Council will serve as the City of Nashville’s Urban Redevelopment Authority. Responsibilities of the City of Nashville Urban Redevelopment Authority can be found in sections 36-61-17 through 36-61-19 of the Urban Redevelopment Law in Appendix A.

The Urban Redevelopment Authority will evaluate local codes to determine if any revisions or new codes are necessary in order to assist or benefit redevelopment efforts.

The timeline for implementing the Urban Redevelopment Plan is as follows:

Implementation Schedule

Public Hearing	February 13, 2012
Adopt Urban Redevelopment Plan	February 27, 2012
Adopt Enterprise Zone	March 12, 2012
Create and Adopt Urban Redevelopment Authority	February 27, 2012
Evaluate local codes and code enforcement	June 11, 2012

PHASE II – After completion of Phase I activities, the City of Nashville Urban Redevelopment Authority should focus on preparing a list of properties that are to be redeveloped. These “targeted properties” will encompass empty, unkempt lots, or lots containing vacant or dilapidated structures and are those identified as adversely affecting the tax base and being uninhabitable, unsafe and unworthy of rehabilitation. At a minimum, this list should contain the following information about each property: Property Address, Property Map and Parcel Number, Property Owner Name, Property Owner Address (if different from property address), Condition and Current Use. The Housing Assessment Survey conducted by the Southern Georgia Regional Commission should aid in preparing such a list. The purpose of the targeted properties list is to facilitate the orderly redevelopment of these properties. It is important that redevelopment plans for **vacant lots** and properties with dilapidated, **unoccupied** buildings are addressed before any occupied structures.

Future phases undertaken for the purposes of redevelopment as stated within this plan may be undertaken by the City of Nashville as the City Council and City of Nashville Urban Redevelopment Authority see fit. Additionally, this Urban Redevelopment Plan may be amended or modified at any time by the City of Nashville through the use of the Amendment Worksheet provided in Appendix F, adopted by formal resolution of the City Council.

Frequently Asked Questions about Redevelopment

- 1) What is redevelopment all about?

Thirty-eight (38) dilapidated structures, 14 deteriorated structures, and approximately 16 vacant parcels have been identified within the City of Nashville Urban Redevelopment Area. These properties are a primary factor in the decline of our community, creating unsafe environments for children, depressed property values, and visual blight. The goal of redevelopment is to rehabilitate or replace these structures and unkempt lots with aesthetically compatible, practical housing and commercial/industrial structures, therein restoring the integrity of our neighborhoods as places where families are proud to live and raise their children.

- 2) If a structure is posted unsafe, does that mean that it is condemned and must come down?

No. While posting is a preliminary step to condemnation, it only means that the structure cannot be inhabited in its present condition.

- 3) Can a structure be rehabilitated for use once it has been posted as being unsafe?

Yes, if the property owner is willing to invest the money to bring the property up to minimum building standards. In residential cases, there is an added incentive if the property is located within a designated City of Nashville Enterprise Zone. If the property owner is willing to invest in improvements to his/her property that are valued at 500% or greater than the current assessed land value, then the City Council has authority to grant specific ad valorem property tax abatements for up to ten years.

- 4) Can I remove the posted sign once I have completed work on the structure?

No. Only a City Official can remove the sign after they have determined that the structure meets minimum building standards. A property owner removing the sign on his or her own may be subject to a per day fine until the sign is reinstated or the structure has been determined by a City Official to meet minimum building standards.

- 5) If I clear the lot, is that sufficient to meet the requirements?

No. After February 27, 2012 all posted properties within the Urban Redevelopment Area must be rehabilitated to provide minimum standard housing or commercial/industrial use as applicable per zoning standards.

- 6) If I do not rehabilitate the structure or rebuild, can the City take my property?

No. Your property will be condemned and the City will pay fair market value as established by independent appraisal.

- 7) Will the City then build on the property?

No. The City will clear the lot and make it available to private developers who will be required to establish usable structures within a designated time.

8) Can a family buy the property back?

Yes. Anyone may purchase the property if they are the high bidder, but they will be required to establish a usable structure on the property within a designated time.

9) What if no one bids on a property?

The property will be sold to the Nashville Housing Authority or other such entity that agrees to redevelop the property within a designated time.

10) Will I receive notification other than posting that my property is subject to redevelopment?

Yes. All property owners of record will be notified by certified mail of their rights and responsibilities and applicable time-frames under Redevelopment law.

11) Whose property is condemned first?

All property owners of record subject to redevelopment will be notified simultaneously after February 27, 2012. Obviously all cannot move forward through the process at once, though the time-frame for response will begin on notification. Properties will be acted on across the board as expeditiously as possible.

12) Are any unposted properties subject to redevelopment?

Yes. Any vacant, substandard structure or unkempt, vacant lot within the designated area may become subject to inspection by the City.

APPENDIX A

The Urban Redevelopment Law

GEORGIA CODE
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TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 61. URBAN REDEVELOPMENT

O.C.G.A. § 36-61-1 (2011)

§ 36-61-1. Short title

This chapter shall be known and may be cited as the "Urban Redevelopment Law."

§ 36-61-2. Definitions

As used in this chapter, the term:

- (1) "Agency" or "urban redevelopment agency" means a public agency created by Code Section 36-61-18.
- (2) "Area of operation" means the area within the corporate limits of the municipality or county and the area within five miles of such limits, except that it shall not include any area which lies within the territorial boundaries of another incorporated municipality or another county unless a resolution is adopted by the governing body of such other municipality or county declaring a need therefore.
- (3) "Board" or "commission" means a board, commission, department, division, office, body, or other unit of the municipality or county.
- (4) "Bonds" means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.
- (5) "Clerk" means the clerk or other official of the municipality or county who is the custodian of the official records of such municipality or county.
- (6) "County" means any county in this state.
- (7) "Downtown development authority" means an authority created pursuant to Chapter 42 of this title.
- (8) "Federal government" means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
- (9) "Housing authority" means a housing authority created by and established pursuant to Article 1 of Chapter 3 of Title 8, the "Housing Authorities Law."
- (10) "Local governing body" means the council or other legislative body charged with governing the municipality and the board of commissioners or governing authority of the county.

(11) "Mayor" means the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.

(12) "Municipality" means any incorporated city or town in the state.

(13) "Obligee" includes any bondholder, agents, or trustees for any bondholders, or any lessor demising to the municipality or county property used in connection with an urban redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality or county.

(14) "Person" means any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(15) "Public body" means the state or any municipality, county, board, commission, authority, district, housing authority, urban redevelopment agency, or other subdivision or public body of the state.

(16) "Real property" includes all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, right, and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

(17) "Rehabilitation" or "conservation" may include the restoration and redevelopment of a slum area or portion thereof, in accordance with an urban redevelopment plan, by:

(A) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;

(B) Acquisition of real property and rehabilitation or demolition and removal of buildings and improvements thereon where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of slums or deterioration, or to provide land for needed public facilities;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter; and

(D) The disposition of any property acquired in such urban redevelopment area, including sale, initial leasing or retention by the municipality or county itself, at its fair value for uses in accordance with the urban redevelopment plan.

(18) "Slum area" means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. "Slum area" also means an area which by reason of the presence of a substantial number of slum, deteriorated, or deteriorating structures;

predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; by having development impaired by airport or transportation noise or by other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of a municipality or county, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

(19) "Slum clearance and redevelopment" may include:

(A) Acquisition of a slum area or portion thereof;

(B) Rehabilitation or demolition and removal of buildings and improvements;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and

(D) Making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the municipality or county itself) at its fair value for uses in accordance with the urban redevelopment plan.

(20) "Urban redevelopment area" means a slum area which the local governing body designates as appropriate for an urban redevelopment project.

(21) "Urban redevelopment plan" means a plan, as it exists from time to time, for an urban redevelopment project, which plan shall:

(A) Conform to the general plan for the municipality or county as a whole; and

(B) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban redevelopment area; zoning and planning changes, if any; land uses; maximum densities; building requirements; and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(22) "Urban redevelopment project" may include undertakings or activities of a municipality or county in an urban redevelopment area for the elimination and for the prevention of the development or spread of slums and may involve slum clearance and redevelopment in an urban redevelopment area, rehabilitation or conservation in an urban redevelopment area, or any combination or part thereof, in accordance with an urban redevelopment plan. Although the power of eminent domain may not be exercised for such purposes, such undertakings or activities may include:

(A) Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting of lands and highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing and related

facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income; and

(B) Construction of foundations and platforms necessary for the provision of air rights sites of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income or construction of foundations necessary for the provision of air rights sites for development of nonresidential facilities.

§ 36-61-3. Legislative findings and declaration of necessity

(a) It is found and declared that there exist in municipalities and counties of this state slum areas, as defined in paragraph (18) of Code Section 36-61-2, which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of this state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities and counties, retards the provision of housing accommodations, aggravates traffic problems, and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums is a matter of state policy and state concern, in order that the state and its municipalities and counties shall not continue to be endangered by areas which are local centers of disease, promote juvenile delinquency, and, while contributing little to the tax income of the state and its municipalities and counties, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(b) It is further found and declared that certain slum areas or portions thereof may require acquisition, clearance, and disposition, subject to use restrictions, as provided in this chapter, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that the other areas or portions thereof, through the means provided in this chapter, may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in subsection (a) of this Code section may be eliminated, remedied, or prevented and that, to the extent that is feasible, salvable slum areas should be conserved and rehabilitated through voluntary action and the regulatory process.

(c) It is further found and declared that the powers conferred by this chapter are for public uses and purposes for which public money may be expended and the power of eminent domain may be exercised. The necessity, in the public interest, for the provisions enacted in this chapter is declared as a matter of legislative determination.

§ 36-61-3.1. "Public use" defined; eminent domain to be exercised solely for public use

(a) As used in this Code section, the term "public use" shall have the meaning specified in Code Section 22-1-1.

(b) Any exercise of the power of eminent domain under this chapter must:

(1) Be for a public use; and

(2) Be approved by resolution of the governing body of the municipality or county in conformity with the procedures specified in Code Section 22-1-10.

§ 36-61-4. Encouragement of private enterprise

A municipality or county, to the greatest extent it determines to be feasible in carrying out the provisions of this chapter, shall afford maximum opportunity, consistent with the sound needs of the municipality or county as a whole, to the rehabilitation or redevelopment of the urban redevelopment area by private enterprise. A municipality or county shall give consideration to this objective in exercising its powers under this chapter, including: the formulation of a workable program; the approval of urban redevelopment plans consistent with the general plan for the municipality or county; the adoption and enforcement of ordinances as provided for in Code Section 36-61-11; the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the disposition of any property acquired; and the provision of necessary public improvements.

§ 36-61-5. Resolution of necessity prerequisite to exercise of powers

No municipality or county shall exercise any of the powers conferred upon municipalities and counties by this chapter until after its local governing body has adopted a resolution finding that:

- (1) One or more slum areas exist in such municipality or county; and
- (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the municipality or county.

§ 36-61-6. Formulation of workable program

For the purposes of this chapter, a municipality or county may formulate a workable program for utilizing appropriate private and public resources including those specified in Code Section 36-61-11, to eliminate and prevent the development or spread of slums, to encourage needed urban rehabilitation, to provide for the redevelopment of slum areas, or to undertake such of the aforesaid activities or such other feasible municipal or county activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of slums into areas of the municipality or county which are free from slums, through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of slum areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements, encouraging voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum areas or portions thereof.

§ 36-61-7. Preparation of redevelopment plan; approval; modification; effect of approval

(a) A municipality or county shall not approve an urban redevelopment plan for an urban redevelopment area unless the governing body, by resolution, has determined such area to be a slum area and designated such area as appropriate for an urban redevelopment project. Authority is vested in every municipality and county to prepare, to adopt, and to revise, from time to time, a general plan for the physical development of the municipality or county as a

whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related municipal and county planning activities, and to make available and to appropriate the necessary funds therefor. A municipality or county shall not acquire real property for an urban redevelopment project unless the local governing body has approved the urban redevelopment plan in accordance with subsection (d) of this Code section.

(b) The municipality or county may itself prepare or cause to be prepared an urban redevelopment plan; alternatively, any person or agency, public or private, may submit a plan to a municipality or county.

(c) The local governing body of the municipality or county shall hold or shall cause some agency of the municipality or county to hold a public hearing on an urban redevelopment plan or a substantial modification of an approved urban redevelopment plan, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality or county. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban redevelopment area covered by the plan, and shall outline the general scope of the urban redevelopment project under consideration.

(d) Following such hearing, the local governing body may approve an urban redevelopment plan if it finds that:

(1) A feasible method exists for the relocation of families who will be displaced from the urban redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

(2) The urban redevelopment plan conforms to the general plan of the municipality or county as a whole; and

(3) The urban redevelopment plan will afford maximum opportunity, consistent with the sound needs of the municipality or county as a whole, for the rehabilitation or redevelopment of the urban redevelopment area by private enterprise.

(e) An urban redevelopment plan may be modified at any time, provided that, if modified after the lease or sale by the municipality or county of real property in the urban redevelopment project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his successor or successors in interest may be entitled to assert. Any proposed modification which will substantially change the urban redevelopment plan as previously approved by the local governing body shall be subject to the requirements of this Code section, including the requirement of a public hearing, before it may be approved.

(f) Upon the approval of an urban redevelopment plan by a municipality or county, the provisions of the plan with respect to the future use and building requirements applicable to the property covered by the plan shall be controlling with respect thereto.

§ 36-61-8. Powers of municipalities and counties generally

Every municipality and every county shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others granted in this chapter:

(1) To undertake and carry out urban redevelopment projects within its area of operation; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter; and to disseminate slum clearance and urban redevelopment information;

(2) To provide, to arrange, or to contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with an urban redevelopment project and to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements, provided that neither the municipality or county itself nor an urban redevelopment agency or housing authority or downtown development authority acting pursuant to an election under Code Section 36-61-17 shall provide, install, or construct any public utility of the same kind or character as an existing utility operating in the municipality or county if such existing utility is providing reasonably adequate and proper service, as determined by the Public Service Commission; and to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or to compliance with labor standards in the undertaking or carrying out of an urban redevelopment project, and to include, in any contract let in connection with such a project, provisions to fulfill such conditions as it may deem reasonable and appropriate;

(3) Within its area of operation, to enter upon any building or property in any urban redevelopment area in order to make surveys, appraisals, soundings, or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire, by purchase, lease, option, gift, grant, bequest, devise, or otherwise, any real property (or personal property for its administrative purposes) together with any improvements thereon; to hold, improve, clear, or prepare for redevelopment any such property; to mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property; to insure or provide for the insurance of any real or personal property or operations of the municipality or county against any risks or hazards, and to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this chapter; provided, however, that no statutory provision with respect to the acquisition, clearance, or disposition of property by public bodies shall restrict a municipality or county or other public body exercising powers under this chapter in the exercise of such functions with respect to an urban redevelopment project, unless the General Assembly shall specifically so state;

(4) To invest any urban redevelopment project funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; and to redeem such bonds as have been issued pursuant to Code Section 36-61-12 at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled;

(5) To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, county, or other public body, or from any sources, public or private, for the purposes of this chapter, and to give such security as may be required and to enter into and carry out contracts in connection therewith. A municipality or county may include in any contract for financial assistance with the federal government for an urban redevelopment project such conditions imposed pursuant to federal

law as the municipality or county may deem reasonable and appropriate and which are not inconsistent with the purposes of this chapter;

(6) Within their area of operation, to make or have made all plans necessary to the carrying out of the purposes of this chapter and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify, and amend such plans. Such plans may include, without limitation:

(A) A general plan for the locality as a whole;

(B) Urban redevelopment plans;

(C) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements, to include but not to be limited to making loans and grants from funds received from the federal government, as well as from funds received from the repayment of such loans and interest thereon, to persons, public or private, owning private housing for the purpose of financing the rehabilitation of such housing;

(D) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and

(E) Appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban redevelopment projects.

The municipality or county is authorized to develop, test, and report methods and techniques and to carry out demonstrations and other activities for the prevention and elimination of slums and to apply for, accept, and utilize grants of funds from the federal government for such purposes;

(7) To prepare plans and provide reasonable assistance for the relocation of families displaced from an urban redevelopment area, to the extent essential for acquiring possession of and clearing such area or parts thereof to permit the carrying out of the urban redevelopment project;

(8) To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this chapter and to levy taxes and assessments for such purposes; to close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places; to plan or replan, zone, or rezone any part of the municipality or county or make exceptions from building regulations; and to enter into agreements, under Code Section 36-61-17, with a housing authority, a downtown development authority, or an urban redevelopment agency vested with urban redevelopment project powers, which agreements may extend for up to 50 years respecting action to be taken by such municipality or county pursuant to any of the powers granted by this chapter. The reasonable costs of removing, relocating, and rearranging public utility facilities within urban renewal areas may constitute a cost of carrying out the purposes of this chapter, and every municipality and county may, in their discretion, pay such reasonable costs or any portion thereof;

(9) Within their areas of operation, to organize, coordinate, and direct the administration of the

provisions of this chapter as they apply to such municipality or county, in order that the objective of remedying slums and preventing the causes thereof within the municipality or county may be most effectively promoted and achieved, and to establish such new office or offices of the municipality or county or to reorganize existing offices in order to carry out such purpose most effectively.

(10) To exercise all or any part or combination of powers granted in this Code section.

§ 36-61-9. Power of eminent domain; conditions; title acquired

(a) Except as otherwise provided in subsection (c) of this Code section, a municipality or county shall have the right to acquire, by exercise of the power of eminent domain, any real property which it may deem necessary for its purposes under this chapter, after the adoption by it of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. A municipality or county may exercise the power of eminent domain in the manner provided in Title 22; or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provisions for the exercise of the power of eminent domain. Property already devoted to a public use may be acquired, provided that no real property belonging to the municipality, the county, the state, or any political subdivision thereof may be acquired without its consent.

(b) Whenever condemnation proceedings are instituted and carried on by a municipality or county in accordance with subsection (a) of this Code section or through any other method of condemnation provided by law, upon the payment by the municipality or county seeking condemnation of the amount of the award and final judgment on appeal the municipality or county shall become vested with a fee simple indefeasible title to the property to which the condemnation proceedings relate. Such payment may be offset in whole or in part by the amount of any municipal or county tax liens on the condemned property and by any existing special assessments tax liens on the condemned property, including without limitation education or special district taxes collected by the municipality or county; provided, however, that any such setoff shall be subject to any existing tax liens having higher priority pursuant to Code Section 48-2-56 and to the interest in the condemned property of any known beneficiary of a year's support pursuant to former Code Section 53-5-2 as such existed on December 31, 1997, if applicable, or Code Sections 53-3-1, 53-3-2, 53-3-4, 53-3-5, and 53-3-7; provided, further, that where the condemned property is subject to a valid deed to secure debt, such setoff shall only be allowed for tax liens which arose as a result of an assessment against such property. It is declared to be necessary, to enable such municipalities and counties to exercise their powers under this Code section, that upon the condemnation proceedings being had, the municipalities and counties shall become vested with fee simple indefeasible title to the property involved in the proceedings.

(c) Unless the property is to be acquired for the purpose of devoting it to a public use, a municipality or county may not acquire real property through the exercise of the power of eminent domain pursuant to subsection (a) of this Code section until the following conditions and requirements have been met:

(1) The municipality or county which adopted the urban redevelopment plan has approved a resolution authorizing the exercise of the power of eminent domain by the agency to acquire the property;

(2) The municipality or county shall, in writing, notify the owner of the real property proposed

to be acquired of the planned rehabilitation of the property as set forth in the urban redevelopment plan for the urban redevelopment area wherein the property is located;

(3) Within 30 days after being so notified, the owner of the property shall have the option of notifying the municipality or county, in writing, of his willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan. In the event of multiple ownership of the property, unanimous agreement by the owners shall be required; and the failure of any one owner to notify the municipality or county, within the time limitation specified in this paragraph, of his willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan shall be deemed to be a failure to exercise the option provided in this paragraph; and

(4) The owner of the property may execute an agreement with the municipality or county to rehabilitate the property in accordance with the urban redevelopment plan. Any such agreement shall be as the municipality or county deems necessary and appropriate as to form and content; in connection therewith, the municipality or county shall have the right to require sufficient performance, payment, and completion bonds. In the event that any such owner, at any time, fails to comply with or defaults in the performance of the provisions of the agreement, such property shall no longer be subject to the agreement, the option provided by paragraph (3) of this subsection shall no longer apply, and the property may be acquired by the municipality or county by purchase or through the exercise of the power of eminent domain. In the alternative, the municipality or county may either specifically enforce the agreement, exercise any rights under any bonds which may have been required, and obtain any other legal or equitable relief as may be available to the municipality or county or, if the owner fails to exercise the option to rehabilitate the property or defaults on the agreement to rehabilitate the property, the municipality or county may implement those portions of the urban development plan with respect to such property to the extent the municipality or county deems necessary and the costs of implementing such plan shall be a lien against the property enforceable in the same manner as tax liens.

§ 36-61-10. Disposal of property in redevelopment area generally; notice and bidding procedures; exchange with veterans' organization; temporary operation of property

(a) A municipality or county may sell, lease, or otherwise transfer real property in an urban redevelopment area or any interest therein acquired by it and may enter into contracts with respect thereto, for residential, recreational, commercial, industrial, or other uses or for public use; or the municipality or county may retain such property or interest for public use, in accordance with the urban redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land and including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, as it may deem to be in the public interest or necessary or desirable to assist in preventing the development or spread of future slums or to otherwise carry out the purposes of this chapter. Such sale, lease, other transfer, or retention and any agreement relating thereto may be made only after the approval of the urban redevelopment plan by the local governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban redevelopment plan and may be obligated to comply with such other requirements as the municipality or county may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on the real property required by the urban redevelopment plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in

accordance with the urban redevelopment plan. In determining the fair value of real property for uses in accordance with the urban redevelopment plan, a municipality or county shall take into account and give consideration to the uses provided in such plan; the restrictions upon and the covenants, conditions, and obligations assumed by the purchaser or lessee or by the municipality or county retaining the property; and the objectives of such plan for the prevention of the recurrence of slum areas. The municipality or county in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property without the prior written consent of the municipality or county until he has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired by a municipality or county which, in accordance with the provisions of the urban redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban redevelopment plan. The inclusion in any such contract or conveyance to a purchaser or lessee of any such covenants, restrictions, or conditions, including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, shall not prevent the filing of the contract or conveyance in the land records of the county in such manner as to afford actual or constructive notice thereof.

(b) (1) A municipality or county may dispose of real property in an urban redevelopment area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as are provided in this subsection. A municipality or county, by public notice by publication once each week for two consecutive weeks in a newspaper having a general circulation in the community, prior to the execution of any contract to sell, lease, or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under this Code section, may invite proposals from and make available all pertinent information to private developers or any persons interested in undertaking to redevelop or rehabilitate an urban redevelopment area or any part thereof. The notice shall identify the area or portion thereof and shall state that such further information as is available may be obtained at such office as shall be designated in the notice. The municipality or county shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the municipality or county in the urban redevelopment area. The municipality or county may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this chapter. The municipality or county may execute contracts in accordance with subsection (a) of this Code section and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contracts.

(2) Notwithstanding the provisions or requirements of this Code section, any municipality or county may exchange real property or land, whether vacant or improved, in any urban redevelopment area for real property or land, whether vacant or improved, owned by any post, barracks, encampment, chapter, subsidiary, or any other division or unit of any veterans' organization chartered by the United States Congress, provided such real property or land was owned by the veterans' organization on March 6, 1962, and, provided, further, that the municipality or county owning such urban redevelopment area desires to obtain the real property or land owned by the veterans' organization for civic improvements, including, but not limited to, the building of art theaters, stadiums, parks, playgrounds, auditoriums, civic theaters, and performing arts theaters.

(c) A municipality or county may temporarily operate and maintain real property acquired in an urban redevelopment area, pending the disposition of the property for redevelopment, without regard to subsection (a) of this Code section, for such uses and purposes as may be deemed desirable, even if such uses and purposes are not in conformity with the urban redevelopment plan.

§ 36-61-11. Repair, closing, and demolition of dwellings unfit for human habitation

Any municipality or county may, by ordinance, require the repair, closing, or demolition of dwellings or other structures intended for human habitation which are, as defined in the ordinance, unfit for human habitation or which may imperil the health, safety, or morals of the occupants thereof or of surrounding areas. Such ordinances may include the following:

- (1) Definition of the construction, condition, facilities, ventilation, and other conditions which shall render such structures unfit for human habitation or a nuisance;
- (2) Designation of a public official or officials with authority to enforce such ordinances and establishment of procedures therefor;
- (3) Provision for the enforcement of such ordinances by the municipal court of the municipality, as defined in Code Section 41-2-5, which may include provision for the abatement thereof as nuisances, as provided in such Code section; and
- (4) Provision for the posting of notices on dwellings and other structures intended for human habitation, indicating the actions taken by enforcement officials or the court with respect thereto, and the fixing of penalties for the defacing, destruction, or removal of such notices; provided, however, that no such notice shall be posted on any property then designated by proper governmental authority for acquisition by eminent domain.

§ 36-61-12. Issuance of bonds; payment; tax exemption; form; terms; sale; signatures; negotiability; effect of recitation on bonds

(a) A municipality or county shall have power to issue bonds, in its discretion, from time to time, to finance the undertaking of any urban redevelopment project under this chapter, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans for urban redevelopment projects and shall also have power to issue refunding bonds for the payment of retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality or county derived from or held in connection with its undertaking and carrying out of urban redevelopment projects under this chapter; provided, however, that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source, in aid of any urban redevelopment projects of the municipality or county under this chapter, and by a mortgage of any such urban redevelopment projects or any part thereof, title to which is in the municipality or county.

(b) Bonds issued under this Code section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under this chapter are declared to be issued for an essential public and

governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this Code section shall be authorized by resolution or ordinance of the local governing body. They may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics as may be provided by the resolution of the local governing body or by the trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sales in a newspaper having a general circulation in the area of operation and in such other medium of publication as the municipality or county may determine or may be exchanged for other bonds on the basis of par. Such bonds may be sold to the federal government or to an institution insured by an agency of the federal government at private sale at not less than par and, in the event that less than all of the authorized principal amount of such bonds is sold to the federal government or to an institution insured by an agency of the federal government, the balance may be sold at private sale at not less than par at an interest cost to the municipality or county, such cost not to exceed the interest cost to the municipality or county of the portion of the bonds sold to the federal government or to an institution insured by an agency of the federal government.

(e) If any of the public officials of the municipality or county whose signatures appear on any bonds or coupons issued under this chapter cease to be such officials before the delivery of the bonds, such signatures, nevertheless, shall be valid and sufficient for all purposes, the same as if the officials had remained in office until the delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this chapter shall be fully negotiable.

(f) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this chapter or the security therefor, any such bond reciting in substance that it has been issued by the municipality or county in connection with an urban redevelopment project, as defined in paragraph (22) of Code Section 36-61-2, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with this chapter.

(g) Any urban redevelopment agency or housing authority which a municipality or county has elected to exercise powers under Code Section 36-61-17 may also issue bonds, as provided in this Code section, in the same manner as a municipality or county, except that such bonds shall be authorized and the terms and conditions thereof shall be prescribed by the commissioners of such urban redevelopment agency or housing authority in lieu of the local governing body.

§ 36-61-13. Bonds declared legal investments

All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to

them or within their control in any bonds or other obligations issued by a municipality or county pursuant to this chapter or by any urban redevelopment agency or housing authority vested with urban redevelopment project powers under Code Section 36-61-17, provided that such bonds and other obligations shall be secured by an agreement between the issuer and the federal government, in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of the bonds or other obligations, moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on the bonds or other obligations) will suffice to pay the principal of the bonds or other obligations with interest to maturity thereon, which moneys under the terms of the agreement are required to be used for the purpose of paying the principal of and the interest on the bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this Code section to authorize any persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this Code section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

§ 36-61-14. Exemption of property from execution, levy, and sale; tax exemption

(a) All property of a municipality or county, including funds owned or held by it for the purposes of this chapter, shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same, nor shall judgment against a municipality or county be a charge or lien upon such property; provided, however, that this Code section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this chapter by a municipality or county on its rents, fees, grants, or revenues from urban redevelopment projects.

(b) The property of a municipality or county, acquired or held for the purpose of this chapter, is declared to be public property used for essential public and governmental purposes and such property shall be exempt from all taxes of the municipality, the county, the state, or any political subdivision thereof. Such tax exemption shall terminate when the municipality or county sells, leases, or otherwise disposes of property in an urban redevelopment area to a purchaser or lessee who or which is not a public body.

§ 36-61-15. Presumption as to title of purchaser of property from municipality or county

Any instrument executed by a municipality or county and purporting to convey any right, title, or interest in any property under this chapter shall be conclusively presumed to have been executed in compliance with this chapter insofar as title or other interest of any bona fide purchasers, lessees, or transferees of such property is concerned.

§ 36-61-16. Assistance by public bodies generally; powers of public bodies; powers of municipalities and counties

(a) For the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project located within the area in which it is authorized to act, any public body, upon such terms, with or without consideration, as it may determine, may:

- (1) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to a municipality or county;

- (2) Incur the entire expense of any public improvements made by such public body in exercising the powers granted in this Code section;
- (3) Do any and all things necessary to aid or cooperate in the planning or carrying out of an urban redevelopment plan;
- (4) Lend, grant, or contribute funds to a municipality or county;
- (5) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with a municipality or county or other public body respecting action to be taken pursuant to any of the powers granted by this chapter, including the furnishing of funds or other assistance in connection with an urban redevelopment project; and
- (6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, education, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan, replan, zone, or rezone any part of the public body or make exceptions from building regulations; and cause administrative and other services to be furnished to the municipality or county.

If at any time title to or possession of any urban redevelopment project is held by any public body or governmental agency, other than the municipality or county, which is authorized by law to engage in the undertaking, carrying out, or administration of urban redevelopment projects, including any agency or instrumentality of the United States of America, the provisions of the agreements referred to in this subsection shall inure to the benefit of and may be enforced by such public body or governmental agency. As used in this subsection, the terms "municipality" and "county" shall also include an urban redevelopment agency or a housing authority vested with all of the urban redevelopment project powers pursuant to Code Section 36-61-17.

(b) Any sale, conveyance, lease, or agreement provided for in this Code section may be made by a public body without appraisal, public notice, advertisement, or public bidding.

(c) For the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project of an urban redevelopment agency or a housing authority under this chapter, a municipality or county may, in addition to their other powers and upon such terms, with or without consideration, as they may determine, do and perform any or all of the actions or things which, by subsection (a) of this Code section, a public body is authorized to do or perform, including the furnishing of financial and other assistance.

(d) For the purposes of this Code section or for the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project of a municipality or county, such municipality or county may, in addition to any authority to issue bonds pursuant to Code Section 36-61-12, issue and sell its general obligation bonds. Any bonds issued by a municipality or county pursuant to this Code section shall be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by such municipality and county for public purposes generally.

§ 36-61-17. Exercise of redevelopment powers by municipalities and counties; delegation to redevelopment agency or housing authority

(a) A municipality or county may itself exercise its "urban redevelopment project powers," as defined in subsection (b) of this Code section, or may, if the local governing body by resolution determines such action to be in the public interest, elect to have such powers exercised by the urban redevelopment agency created by Code Section 36-61-18 or by a housing authority, if one exists or is subsequently established in the community, or by an existing or subsequently established downtown development authority. In the event that the local governing body makes such determination, the urban redevelopment agency or the housing authority or downtown development authority, as the case may be, shall be vested with all of the "urban redevelopment project powers" of the municipality or county conferred in this chapter, in the same manner as though all such powers were conferred on the agency or authority instead of the municipality or county; and any public body may cooperate with the urban redevelopment agency or housing authority or the downtown development authority to the same extent that it could cooperate with the municipality or county itself if the municipality or county were exercising its urban redevelopment project powers. If the local governing body does not elect to make such determination, the municipality or county in its discretion may exercise its urban redevelopment project powers through a board or commissioner or through such officers of the municipality or county as the local governing body may by resolution determine.

(b) As used in this Code section, the term "urban redevelopment project powers" shall include all of the rights, powers, functions, duties, privileges, immunities, and exemptions granted to a municipality or county under this chapter, except the following:

- (1) The power to determine an area to be a slum area and to designate such area as appropriate for an urban redevelopment project;
- (2) The power to approve and amend urban redevelopment plans;
- (3) The power to establish a general plan for the locality as a whole;
- (4) The power to formulate a workable program under Code Section 36-61-6;
- (5) The powers, duties, and functions referred to in Code Section 36-61-11;
- (6) The power to make the determinations and findings provided for in Code Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;
- (7) The power to issue general obligation bonds; and
- (8) The power to appropriate funds, to levy taxes and assessments, and to exercise other powers provided for in paragraph (8) of Code Section 36-61-8.

§ 36-61-18. Creation of agency; appointment of board of commissioners; compensation, term, and certificate; annual report; removal of commissioners

(a) There is created in each municipality and in each county a public body corporate and politic to be known as the "urban redevelopment agency" of the municipality or county. Such agency shall not transact any business or exercise its powers under this Code section until or unless the local governing body has made the finding prescribed in Code Section 36-61-5 and has elected to

have the urban redevelopment project powers exercised by an urban redevelopment agency as provided in Code Section 36-61-17.

(b) If the urban redevelopment agency is authorized to transact business and exercise powers under this Code section, the mayor, by and with the advice and consent of the local governing body, or the board of commissioners or other governing body of the county shall appoint a board of commissioners of the urban redevelopment agency, which shall consist of such number of commissioners, with such terms of office, as shall be determined by the local governing body. If the governing body of a municipality designates members of a downtown development authority as an urban redevelopment agency, the method of appointment, number of commissioners, and terms of office shall be in conformity with the requirements of Code Section 36-42-4.

(c) A commissioner shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality or county and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.

(d) The powers of an urban redevelopment agency shall be exercised by the commissioners thereof. A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Any person may be appointed as commissioner if he resides within the area of operation of the agency, which shall be coterminous with the area of operation of the municipality or county, and is otherwise eligible for such appointments under this chapter.

(e) The mayor or the board of commissioners or other governing body of the county shall designate a chairman and vice-chairman from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it may require and may determine their qualifications, duties, and compensation. For such legal service as it may require, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this chapter shall file with the local governing body, on or before March 31 of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expense as of the end of such calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the municipality or county and that the report is available for inspection during business hours in the office of the city or county clerk and in the office of the agency.

(f) For inefficiency, neglect of duty, or misconduct in office, a commissioner may be removed, but only after a hearing. He shall be given a copy of the charges at least ten days prior to such hearing and shall have an opportunity to be heard in person or by counsel.

§ 36-61-19. Interest by public official or employee or employee of redevelopment agency in redevelopment project or property; disclosure; eligibility of commissioners and officers of housing authorities for other office

(a) No public official or employee of a municipality or county or of a board or commission thereof and no commissioner or employee of a housing authority or urban redevelopment agency which has been vested by a municipality or county with urban redevelopment project powers under Code Section 36-61-17 shall voluntarily acquire any interest, direct or indirect, in any urban redevelopment project of such municipality or county or in any property included or planned to be included in any such urban redevelopment project or in any contract or proposed contract in connection with such urban redevelopment project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body and such disclosure shall be entered upon the minutes of the governing body. If any such official, commissioner, or employee presently owns or controls, or owned or controlled within the preceding two years, any interest, direct or indirect, in any property which he knows is included or planned to be included in an urban redevelopment project, he shall immediately disclose this in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body; any such official, commissioner, or employee shall not participate in any action by the municipality or county or a board or commission thereof, the housing authority, or the urban redevelopment agency affecting such property. Any disclosure required to be made by this Code section to the local governing body shall concurrently be made to a housing authority or urban redevelopment agency which has been vested with urban redevelopment project powers by the municipality or county pursuant to Code Section 36-61-17.

(b) Directors of a downtown development authority designated as an urban redevelopment agency pursuant to this chapter and other public officers of the municipality or county may serve as commissioners of the urban redevelopment agency, provided that such persons comply with the provisions of subsection (a) of this Code section.

(c) Any violation of this Code section shall constitute misconduct in office.

APPENDIX B

Urban Redevelopment Plan Resolution

RESOLUTION NO. _____

A RESOLUTION TO DESCRIBE THE BOUNDARIES OF REDEVELOPMENT AREAS WITHIN THE CITY OF NASHVILLE; TO CAUSE A REDEVELOPMENT PLAN TO BE PREPARED FOR SAID AREAS, AND FOR OTHER PURPOSES.

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas in which the structures, buildings and improvements, by reasons of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation or open spaces, and the existence of conditions which endanger life and property by fire and other causes, is conducive to ill health, transmission of disease, infant mortality, high unemployment, juvenile delinquency and crime and is detrimental to the public health, safety, morals and welfare; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which by reason of the presence of a predominant number of substandard, slum, deteriorated, or deteriorating structures, inadequate parking, faulty lot layout in relation to size, adequacy, accessibility, and usefulness, unsanitary and unsafe conditions, deterioration of site and other improvements, tax delinquency exceeding the fair value of the land, diversity of ownership on defective or unusual conditions of title which prevent or encumber the free alienability of land, and the existence of conditions which endanger life and property by fire and other causes, substantially impair and arrest the sound growth of the community, retard the provision of housing accommodations and employment opportunities, and constitute an economic and social liability and is a menace to the public health, safety, morals and welfare in their present condition and use; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more open areas located within urbanized or developed areas which because of the presence of factors enumerated in the first two paragraphs hereof, substantially impair and arrest the sound growth of the community; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which are substantially underutilized by containing open lots and parcels of land or by containing a substantial number of buildings or structures which are 40 years old or older or by containing structures or buildings of relatively low value as compared to the value of structures or buildings in the vicinity of the area or in which there is a shortage of housing that is affordable for persons of low and moderate income which the Council designate as appropriate for community development;

NOW, THEREFORE, BE IT RESOLVED by Council of the City of Nashville, Georgia, in a meeting duly assembled, pursuant to the authority granted by Official Code of Georgia Annotated Section 36-61-5, that the following described areas are hereby found and declared to be urban redevelopment areas as defined by Official Code of Georgia Annotated Section 36-61-5:

That certain area lying within the corporate limits of the City of Nashville, Georgia and being enclosed by the boundary identified in Exhibit "A" City of Nashville, Georgia Urban Redevelopment Area.

BE IT FURTHER RESOLVED, by Commission of the City of Nashville, Georgia, that the designation of the above description as an urban redevelopment area allows the council to request the preparation of a workable urban redevelopment plan in accordance with Official Code of Georgia Annotated Section 36-61-6 to address the presence of factors within the area and enumerated in the first four paragraphs hereof.

SO RESOLVED THIS _____ day of _____, 2011.

CITY OF NASHVILLE

Signature

Stephen T. Harper, Mayor

Attest:

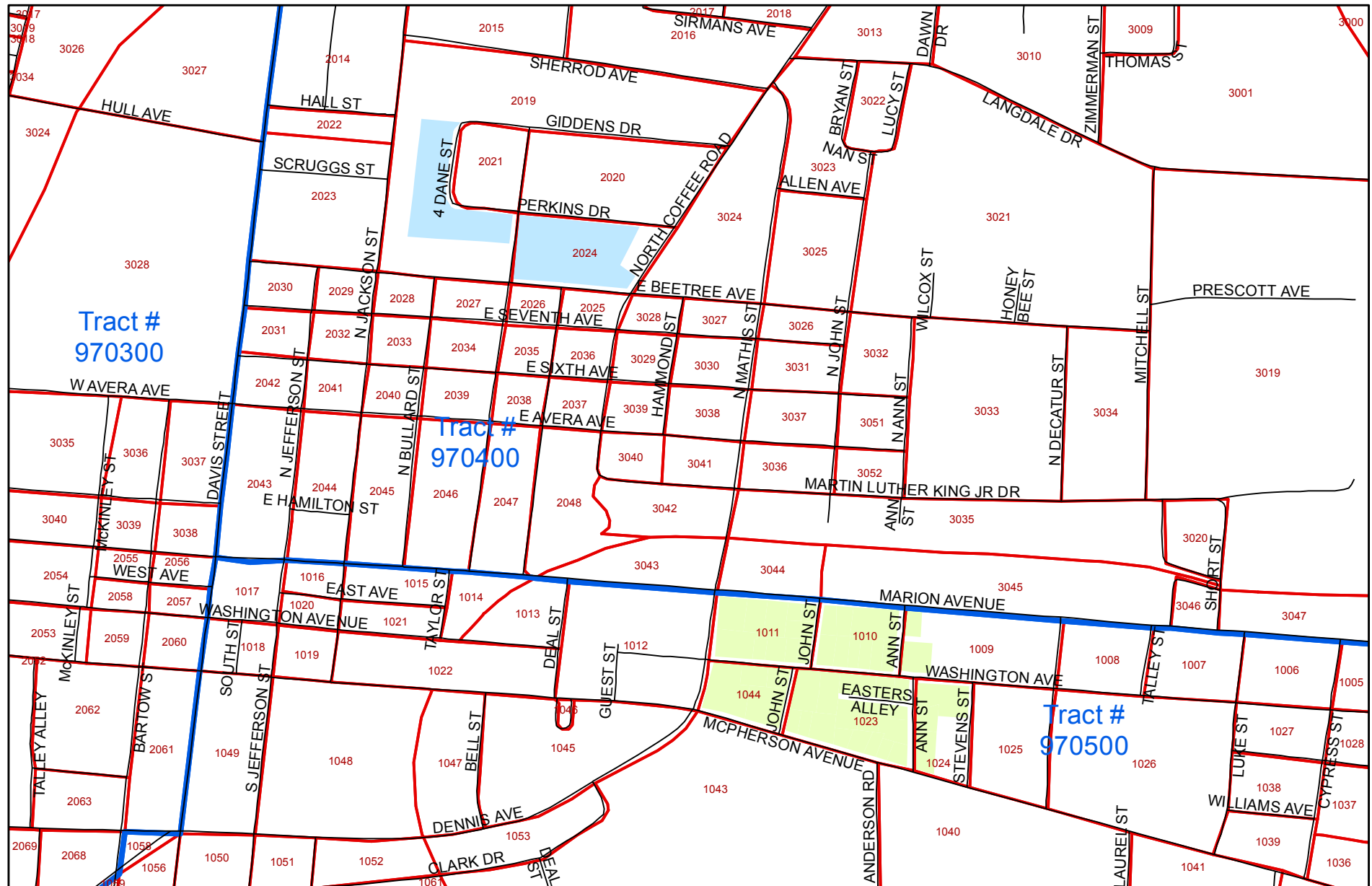
Tina Ward, City Clerk

APPENDIX C

Urban Redevelopment Plan Maps

- C.1 Nashville URA Census Blocks Map**
- C.2 Nashville Target Areas Future Land Use Map**
- C.3 Nashville Target Areas Zoning Map**
- C.4 Nashville Enterprise Zone Map**
- C.5 Existing Land Use Map**
- C.6 Nashville Zoning Map**
- C.7 Urban Redevelopment Area**
- C.8 URA Target Area 1**
- C.9 URA Target Area 2**

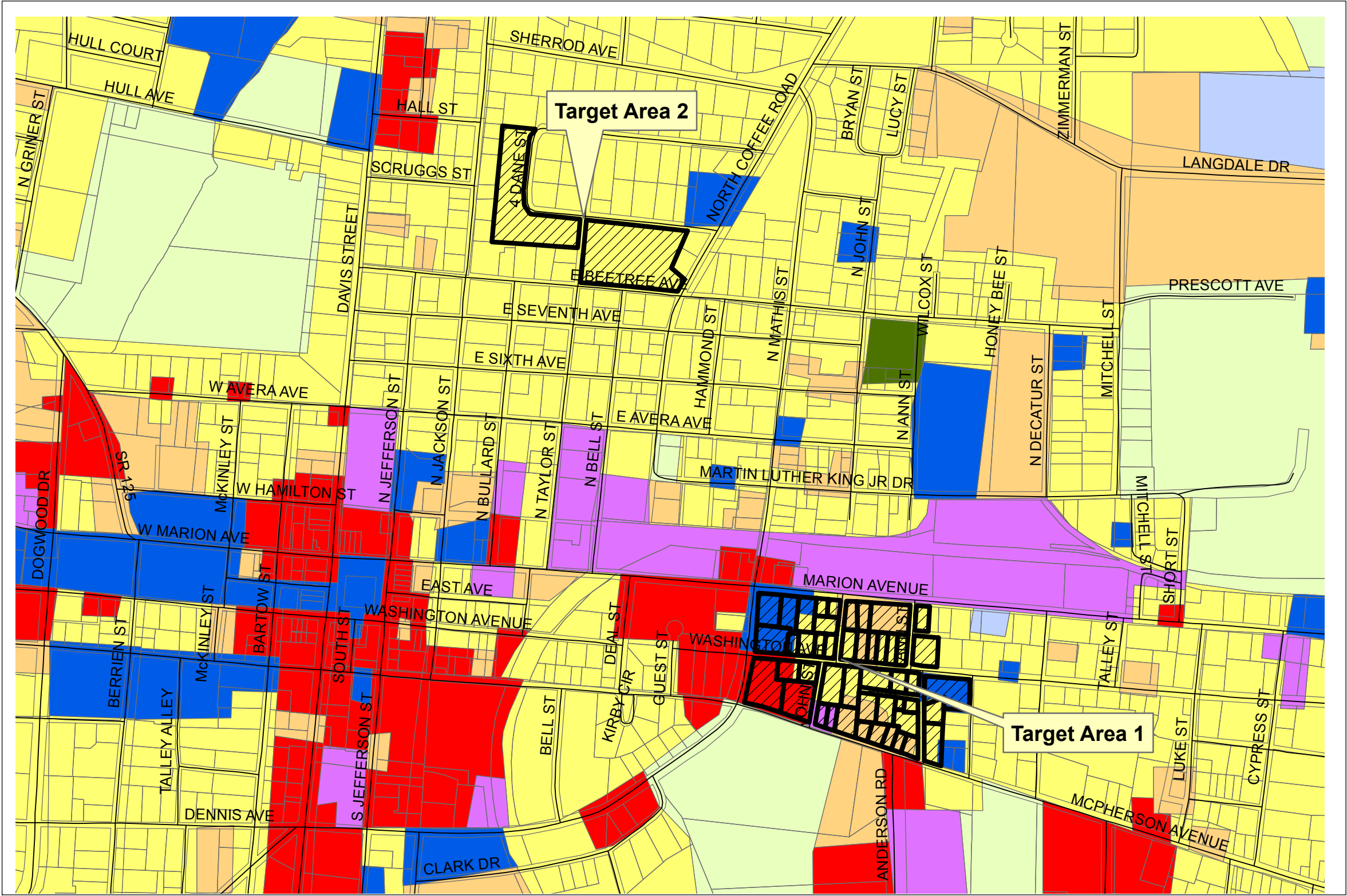
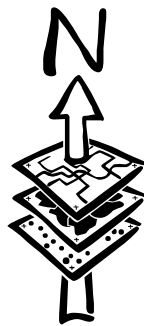
Berrien URP 2010 Census Block and Tracts



Legend

- Roads
- Census Tracts
- Census Blocks
- Target Area 1
- Target Area 2

Future Land Use



Legend

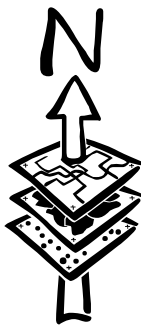
Target_Area_2

Target_Area_1

Roads

Parcels

Zoning



Target_Area_2

Target_Area_1

NashvilleZoning

zone_

C-B-D

DR-10

G-B

G-P

H-I

M-H-P

N-S

R-15

R-20

R-6

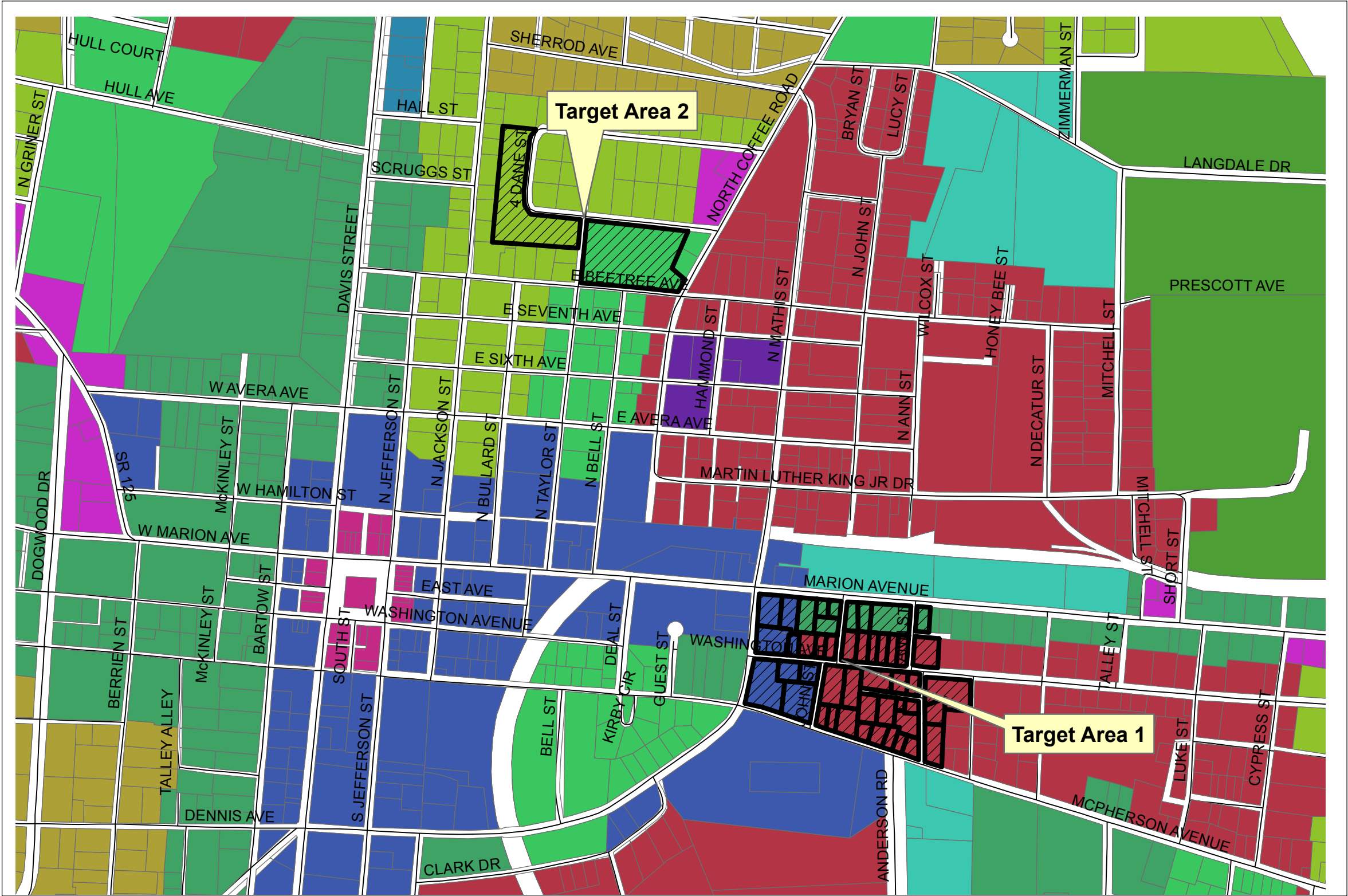
R-6-M

R-P

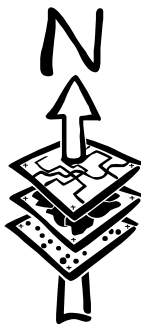
W-L-I

Roads

Parcels



Enterprise Zone



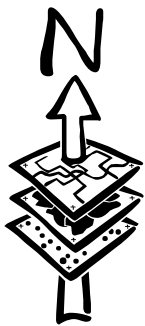
Legend

Enterprise Zone

Roads

Parcels

City of Nashville Existing Land Use



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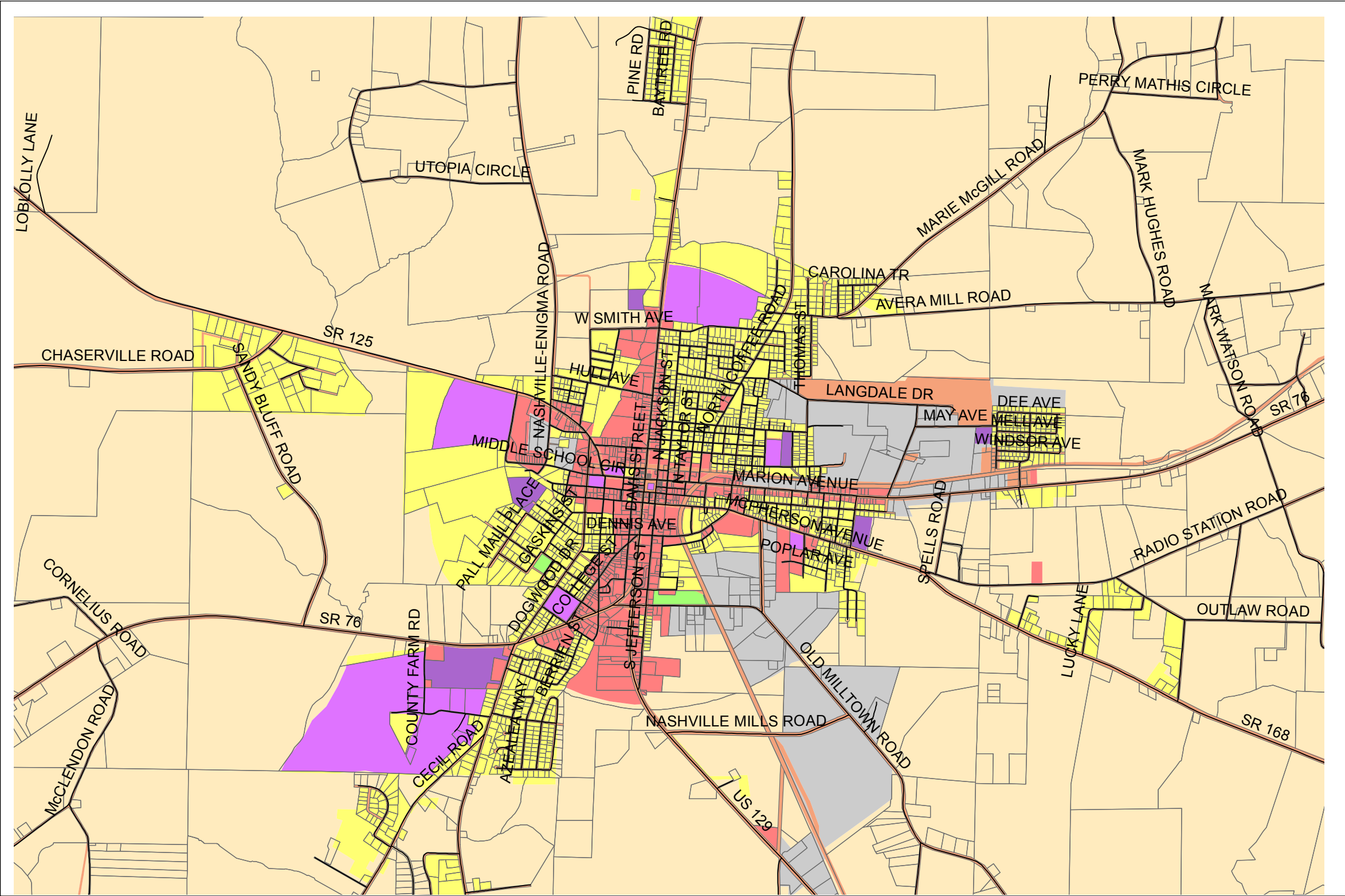
— Roads

□ Parcels

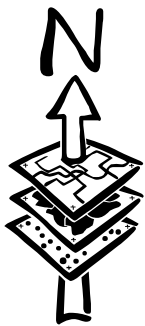
Existing_LandUse

L1_ABB

AF
C
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City of Nashville Zoning

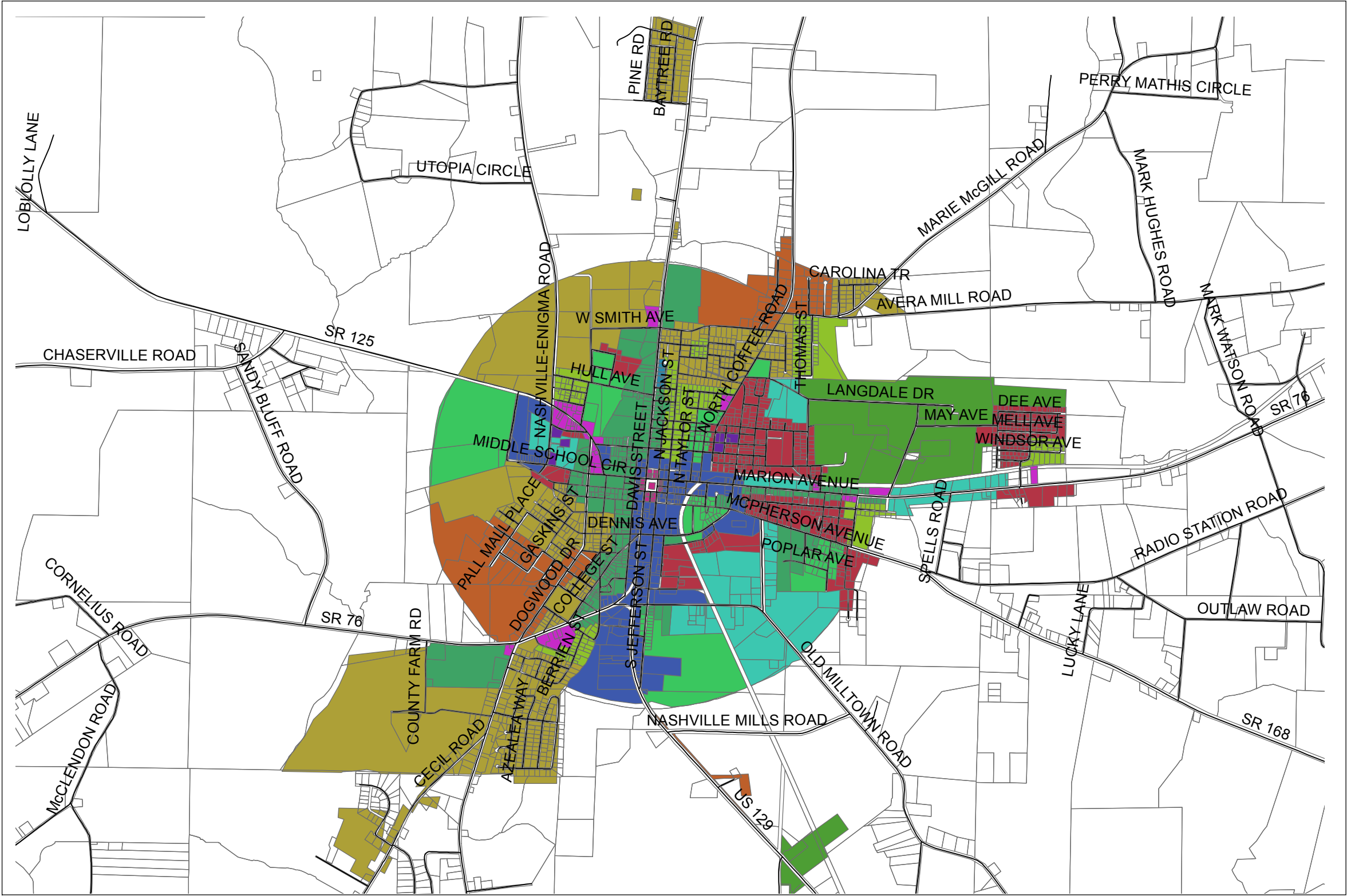


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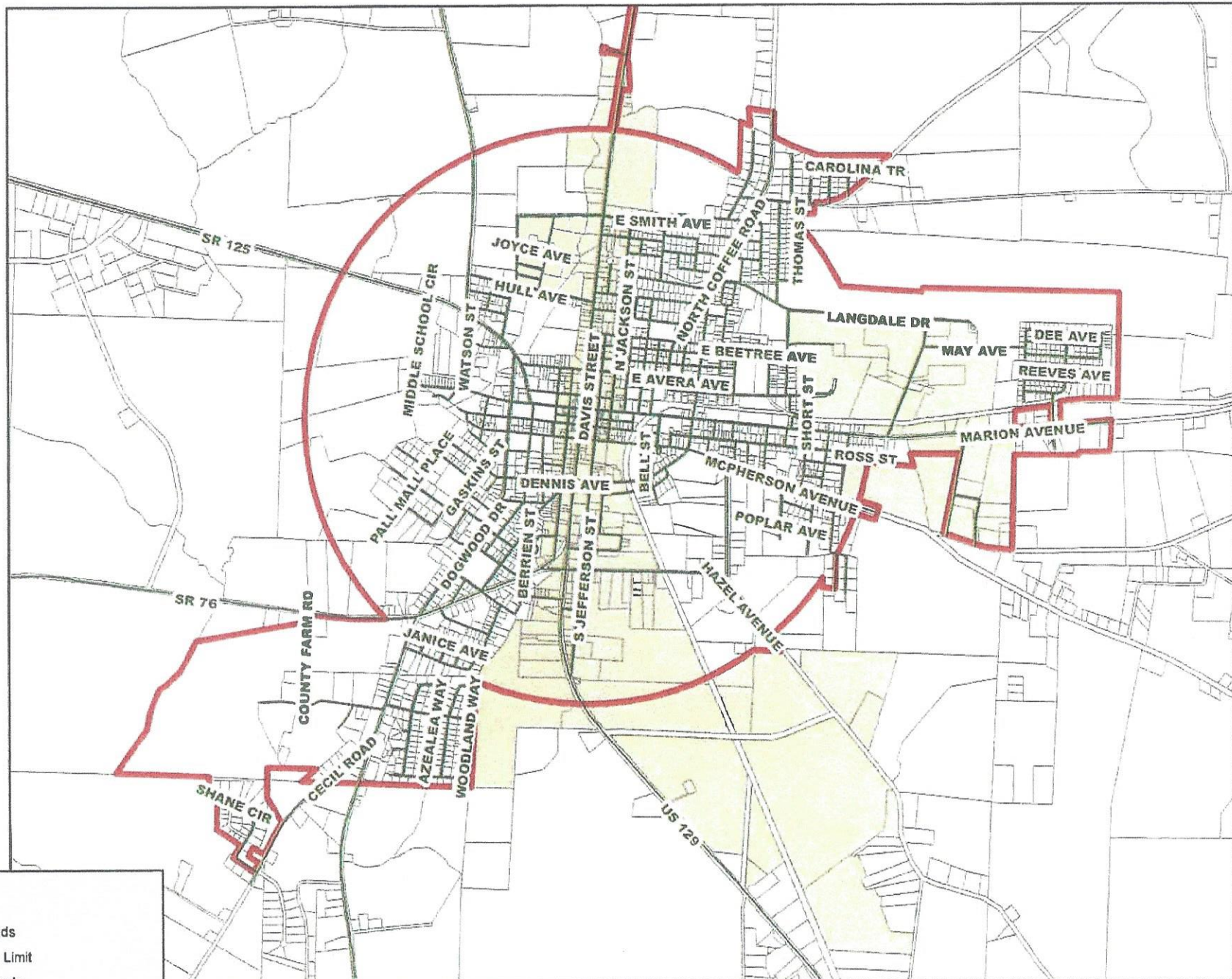
NashvilleZoning

zone_




	C-B-D
	DR-10
	G-B
	G-P
	H-I
	M-H-P
	N-S
	R-15
	R-20
	R-6
	R-6-M
	R-P
	W-L-I
	Roads
	Parcels



Nashville Urban Redevelopment Area

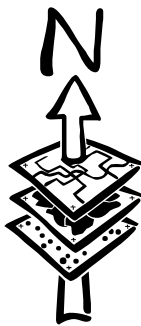


Legend

-  Roads
-  City Limit
-  Parcels
-  Urban Redevelopment Area



Urban Redevelopment Area



Legend

Target Area 1

Target Area 2

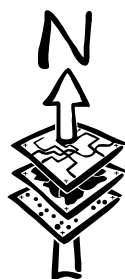
Roads

Parcels



Urban Redevelopment Area

Target Area 1



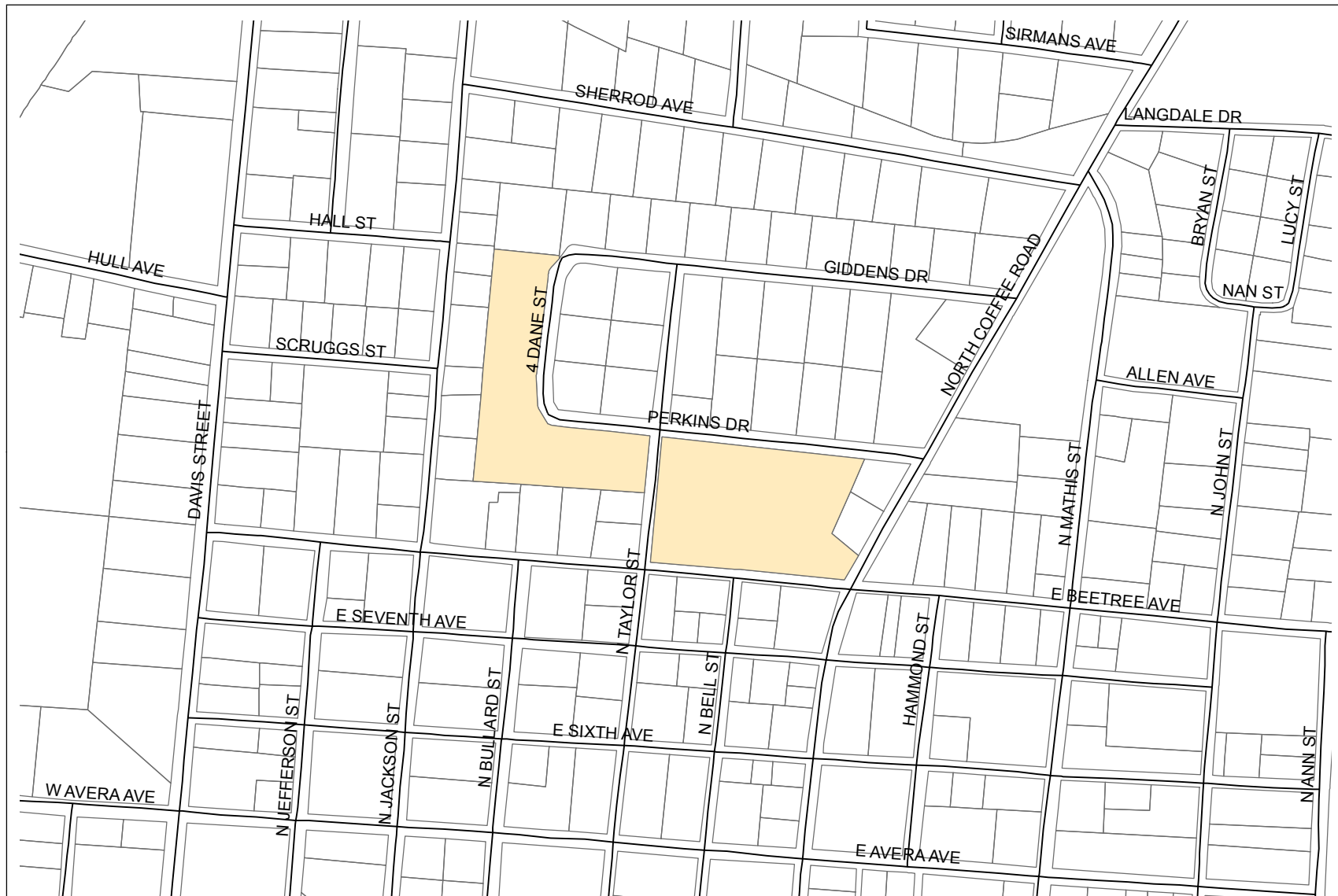
Legend

- Roads
- Parcels
- Target Area 1



Urban Redevelopment Area

Target Area 2



Legend

-  Target Area 2
-  Roads
-  Parcels

APPENDIX D

Urban Redevelopment Area Photographs



909 Washington Avenue



907 Washington Avenue



1002 Washington Avenue



1001 Washington Avenue



1012 Washington Avenue



1013 Washington Avenue



1014 Washington Avenue



McPherson Avenue



920 McPherson Avenue



Ann Street



204 Ann Street



919 Marion Avenue



Marion Avenue



516 East Beetree Avenue



518 East Beetree Avenue



510 East Beetree Avenue



502 East Beetree Avenue



504 East Beetree Avenue



501 Perkins Drive



509 Perkins Drive



405 Perkins Drive



4 Dane Street

APPENDIX E

Enterprise Zone Ordinance

CITY OF NASHVILLE, GEORGIA
ORDINANCE NO. _____

WHEREAS, the City of Nashville, Georgia, hereinafter referred to as the Council, desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises, service enterprises, and encourage residential rehabilitation and new residential construction located in a area meeting criteria established under and set forth in Title 36, Chapter 88 et. seq. and subsequently amended, known as the Enterprise Zone Act of 1997 for the State of Georgia as set forth in Georgia Statutes Annotated, hereinafter referred to as the Act, and to provide employment to residents of such area;

NOW, THEREFORE, THE COUNCIL OF NASHVILLE, GEORGIA HEREBY ORDAINS:

SECTION 1

In the geographic area known as The City of Nashville Proposed Enterprise Zone Area herein described in Exhibit A, a copy of which is attached hereto and hereby incorporated by reference, in compliance with OCGA 36-88-6 and is subsequently amended, the following findings of fact are made:

a) Pervasive Poverty

The City of Nashville suffers from pervasive poverty that is widespread throughout the target areas. However, data regarding census tract and block level poverty levels are not available. However, in 2009 the Five Year American Community Survey conducted by the Census Bureau indicated the City of Nashville had a poverty level of 25.8%, well above the State of Georgia's poverty level of 15%.

b) General Distress

Nashville suffers from general distress and adverse conditions as evidenced from the data collected in the City of Nashville Urban Redevelopment Plan dated February 2012. Indicators of distress and adverse conditions are outlined as follows:

The building conditions windshield survey contained within the Urban Redevelopment Plan indicates that 93% of all parcels are either deteriorating or dilapidated, and 19% of all parcels are vacant.

c) Unemployment

Unfortunately, unemployment rate information is not available below the county level. However, in 2009 the Five Year American Community Survey conducted by the Census Bureau indicated the City of Nashville had an unemployment rate of 8.7%, above the State of Georgia's unemployment rate of 8%.

Another indicator of distress is the population trends in the area. An analysis of data provided by the U.S. Bureau of the Census indicates that the entire Urban Redevelopment Area has experienced a 33% population decline from 2000 to 2010.

Furthermore, the city has experienced significant job losses, as the major employer within the area (Chaparral Boats) had to reduce its workforce from 1,100 to 368.

d) Underdevelopment

The housing assessment surveys contained identified 14 parcels (19% of all parcels in the target area) that are currently vacant. In addition to this, there were approximately 25 structures that had been abandoned. Together, vacant parcels and abandoned structures account for more than half of all properties within the target areas. Also, no new residential building permits were issued within the target areas since 2009.

e) General Blight

Nashville suffers from general blight as evidenced by an inclusion of the entire area within the designated urban redevelopment area as defined by paragraph (20) of Official Code of Georgia Annotated Section 36-61-2 for which an urban redevelopment plan will be adopted.

SECTION 2

Based upon the findings of fact set forth in Section 1 of this ordinance the Council finds The City of Nashville Proposed Enterprise Zone Area meets the qualifications of the Enterprise Zone Act.

SECTION 3

In order to alleviate the above conditions the Council hereby designates the areas as described in Exhibit A, attached hereto and incorporated by reference herein, as Enterprise Zones to be known as “Nashville Enterprise Zone 1” and “Nashville Enterprise Zone 2.”

SECTION 4

The Council shall be the authorized agency to act in all matters pertaining to the enterprise zones and reserves the power to grant the incentives listed below to qualifying businesses or qualifying service enterprises in accordance with the authorization granted local governments in the administration of the enterprise zone in the Enterprise Zone Employment Act.

SECTION 5

The Council shall exempt qualifying business enterprises that are engaged primarily in manufacturing, warehousing and distribution, processing, telecommunications, tourism, research and development industries, new residential construction and residential rehabilitation and qualifying service enterprises that are engaged primarily in finance insurance, and real estate activity or activities listed under the Standard Industrial Classification (SIC) Codes 60 through 67 according to the Federal Office of Management and Budget Standard Industrial Classification Manual from state and municipal ad valorem property taxes, excluding property taxes imposed by school districts, that would otherwise be levied on the qualifying business and service enterprises in accordance with the schedule as set forth in Official Code of Georgia Annotated Section 36-88-3 and meet the qualifying criteria outlined in Official Code of Georgia Annotated Section 36-88-4.

SECTION 6

The Council may grant other incentives, as provided by Official Code of Georgia Annotated Section 36-88-7 and 36-88-9 and as may be subsequently amended from time to time. Such incentives will be negotiated by the Council on a case-by-case basis and may include, but not be limited to, exemptions from any or all of the following:

- Occupation Taxes
- Building Permit Fees
- Sign Permit Fees
- Business License Administrative Fees
- Rezoning Fees
- Engineering Fees
- Other local fees authorized by the Council, as may be applicable

The Council may make determinations of eligibility for each business enterprise or service enterprise based on the quality and quantity of such additional economic stimulus as may be created within the City of Nashville. Criteria for consideration may include but not be limited to the following:

- The value of the business to the economic health and well being of Nashville and its citizens;

- Capital investment or reinvestment by the business equal to or greater than the amount of ad valorem tax abated over the first five years of the tax incentive;
- Locating in a vacant or historic building;
- Demolishing an obsolete, abandoned and/or deteriorating pre-existing structure;
- Enhancing the area by incorporating elements such as significant landscaping, area-compatible façade materials and exclusion of billboards on premises;
- Assembling multiple tracts of land for one project;
- Creating jobs above the state threshold; and
- Creating jobs for residents of the Enterprise Zone and surrounding area.

SECTION 7

The Council further directs and designates its City Manager as liaison for communication with the Georgia Department of Community Affairs; the Georgia Department of Economic Development; the business community; and all others to oversee enterprise zone activities and administration, and communication with qualified businesses, qualified service enterprises and qualifying residential developments as outlined in this ordinance.

SECTION 8

The Council has the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations adopted hereinafter by way of resolution including but not limited to reports and data information from businesses within the enterprise zone to verify compliance with this ordinance and state law.

SECTION 9

A qualifying business enterprise or service enterprise shall enter into a contractual agreement setting forth the incentives offered to such entity and including the guidelines for the recapture, revocation, or reimbursement of the incentives should the terms of the contract be violated by the target business.

SECTION 10

This ordinance shall take effect immediately upon adoption of the Urban Redevelopment Plan as commissioned by the Council.

Read and passed, this _____ day of _____, 2012.

CITY OF NASHVILLE

Stephen T. Harper, Mayor

Attest:

Tina Ward, City Clerk

Appendix F
Urban Redevelopment Plan
Amendment Worksheet

City of Nashville Urban Redevelopment Plan

Amendment Worksheet

Date: _____

The following is a checklist of items to be considered by city officials when amending the Nashville Urban Redevelopment Plan. These items represent required plan components as defined in the Official Code of Georgia Annotated Section 36-61-4 and 36-61-7.

Statement that the Urban Redevelopment Plan is consistent with the City's comprehensive plan.

Clearly defined boundaries of the proposed Urban Redevelopment Area (need not be contiguous).

Explanation of negative conditions in the area necessitating redevelopment.

Description of the city's land use objectives for the area (types of uses, building requirements, zoning changes, development densities, etc.).

Description of land parcels to be acquired and structures to be demolished or rehabilitated.

Strategy for leveraging private resources to aid in redevelopment of the area.

Strategy for relocating any displaced residents.

Any covenants or restrictions to be placed on properties in the redevelopment area in order to implement the plan.

Public infrastructure to be provided (i.e. transportation, water, sewer, sidewalks, lighting, streetscapes, public recreational space, parking, etc.) to support redevelopment of the area.

Financial Strategy for implementing the plan.

Appendix G

General Redevelopment Documents

- G.1 Condemnation Checklist**
- G.2 Abatement/Redevelopment Worksheet for Targeted Properties**
- G.3 Target Property Notification Letter**
- G.4 Contract to Redevelop**
- G.5 Contract for Payment Bond**
- G.6 Contract for Performance Bond**

G.1 CONDEMNATION CHECKLIST

1. File petition in the Superior Court for the condemnation of the property under O.C.G.A. 22-2-100.
2. At the time of filing the petition, obtain from Court the appointment of a local attorney to serve as Special Master not less than 10 nor more than 15 days after the date of service of the petition and order for hearing upon the property owner(s), and direct all those having any interest therein to appear and present any lawful objections they may have. (O.C.G.A. 22-2-105)
3. Have the Court schedule a hearing to be conducted by the Special Master not less than 10 nor more than 15 days after the date of service of the petition and order for hearing upon the property owner(s), and direct all those having any interest therein to appear and present any lawful objections they may have.
4. Have all persons who may have any interest in the property, including any person in possession thereof, to be served with a copy of the petition and order for hearing.
 - a. Residents of Georgia must be served personally.
 - b. Non-residents must be served by (1) posting a copy of the petition and order on the bulletin board at the courthouse door, at least five days before the date of the hearing; (2) Publication of a notice in the newspaper not less than four nor more than seven days prior to the date of the hearing, and (3) where the address of such nonresident is known, mailing be registered or certified mail a copy of the petition and order to the nonresident at such address.
 - c. If any owner is a minor, or insane, or otherwise laboring under any disability, the guardian, if any, of such person shall be personally served (if within the State of Georgia) with a copy of the petition and order.
 - d. If a nonresident, the guardian is to be served by posting, publication, and if possible, by mailing as nonresidents are served.
 - e. If the minor, insane person or person laboring under other disability has no guardian or personal representative, the such party is to be served as competent parties are served, and by serving the Judge of the Probate Court who shall stand in the place and protect the rights of such person or appoint a guardian ad litem for such person.
 - f. In the event there are unknown persons or unborn remaindermen who are likely to have rights in the property or the proceeds thereof, the Judge of the Probate Court shall be served with a copy of the petition and order and shall stand in the place and protect the rights of such unknown persons and unborn remaindermen.
5. The Special Master must make an award and file the same with the Clerk of Court within three days after the date of the hearing. (O.C.G.A. 22-2-110(a))

6. The Judge of the Superior Court thereafter enters a judgment incorporating the award of the special master and condemns the property in remainder to the use of the City, upon the City's paying into the registry of the Court the amount of the award. (O.C.G.A. 22-2-110(b))
7. Title to the property vests in the City immediately upon the City's deposit with the Clerk of Court of the amount of the award, regardless of whether the property owner thereafter appeals the amount of the award to a jury trial in the Superior Court. (O.C.G.A. 22-2-110(b))

**G.2 ABATEMENT/REDEVELOPMENT WORKSHEET
FOR TARGETED PROPERTY**

City of Nashville, Georgia

(Attach Photo)

Address: _____

Location: _____

Action required: _____

Owner: _____

Address: _____

Description: _____

Chronology: Date Action

G.3 TARGET PROPERTY NOTIFICATION LETTER

[To be typed on official City of Nashville letterhead]

[DATE]

[NAME]

[ADDRESS]

Re: [TARGET PROPERTY ADDRESS]

Dear [NAME]:

The above referenced property is a target property under the City of Nashville's Urban Redevelopment Plan (adopted by resolution on February 27, 2012). The purpose of this plan is to reestablish our City's neighborhoods as viable housing communities once again. Your property has been targeted due to lack of minimum standard housing and/or other detrimental aspects of the property due to its current blighted condition. Under the terms of the Georgia State enabling law (36-44; 22-2), the City is empowered to condemn your property, pay you as determined equitable by the court-appointed special master, and then take title to the property in order to clear it and make it available for the reestablishment of housing.

If you wish to maintain ownership of the property, you must do the following within thirty (30) days beginning with the date of receipt of this letter (and in the case of multiple ownership of the property, all of the owners must comply with the following):

1. Indicate your willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan; and
2. Execute a written agreement obligating you to take such action and requiring you to furnish adequate payment, performance and completion bonds.

If you wish to sell the property to the City as is, we will contract an independent appraisal of the property and pay you the appraised value.

If we do not hear from you in 30 days and condemnation becomes our last option, you will be notified of the proceedings and all of your rights relative to the process under Georgia State Law. In this event, the City will seek to:

1. Acquire title to this property through condemnation; and
2. Rehabilitate this property by:
 - (a) demolishing all existing structures thereon;
 - (b) clearing all building rubble, junk and debris from property; and
 - (c) reselling the property to a purchaser who will agree to develop and maintain the property in accordance with the urban redevelopment plan.

If you have any questions, please contact us at (229) 316-3425.

Sincerely,

Chairman, City of Nashville Urban Redevelopment Authority

**G.4 AGREEMENT IN LIEU OF CITY'S
REHABILITATION OF PROPERTY**

WHEREAS, _____ (“Owner”) is
the owner of certain real property having the street address of _____
_____ and being more particularly described as _____

_____ (“Property”); and

WHEREAS, The City of Nashville, Georgia (“City”), has in its designation of an Urban
Redevelopment Area under OCGA 36-61-5, included the Property as a parcel to be acquired,
rehabilitated and disposed of; and

WHEREAS, the City has notified the Owner of the planned rehabilitation of the Property in
accordance with the City’s Urban Redevelopment Plan and has further notified the Owner of his
right, under certain conditions, to rehabilitate and maintain the Property in accordance with the
Urban Redevelopment Plan, and the Owner has in a timely manner indicated his willingness to
do so;

NOW, THEREFORE, the parties hereto, for and in consideration of the mutual promises
and recitals herein contained, do hereby agree as follows:

1. The City agrees that it presently forebear from instituting condemnation
proceedings with respect to the property.
2. The Owner agrees to promptly undertake and pursue to its completion the
following described work on, upon and to the Property:
 - (a) _____

 - (b) _____

 - (c) _____

 - (d) _____

3. The Owner shall complete all of the above described work on the Property on or before the ____ day of _____, 20____, time being of the essence of this agreement.
4. The Owner shall/shall not [circle one] be required to furnish a performance bond in the amount of \$_____, and a payment bond in the amount of \$_____, in connection with this agreement, using the forms for such bonds attached hereto.
5. In the event the Owner fails to perform the Owner's obligations as set forth above in a timely manner, then, in addition to any other legal or equitable remedy that may be available, the City shall be entitled to proceed with the acquisition of the Property through the power of eminent domain, or specifically enforce this agreement and the rights of the City under the bonds, if any, and/or proceed with the implementation of the redevelopment plan with respect to the Property and enforce the collection of the costs thereof as a lien against the Property in the same manner as tax liens are enforced.
6. The contract documents consist of this agreement, drawings, specifications and addenda issued subsequent to this Agreement. The contract documents are as fully a part of this agreement as if attached hereto or repeated herein. This contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral.
7. The agreement may be amended or modified only by a modification in writing signed by all the parties.
8. The Owner shall secure and pay for the building permit and for all other permits and governmental fees, licenses and inspections necessary for the proper execution and completion of the work which are legally required at the time of the performance of the work involved (unless waived through request of the City within the designated Enterprise Zone).
9. The Owner shall give all notices and comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the performance of the work.
10. To the fullest extent permitted by law, the Owner shall indemnify and hold harmless the City and its agents from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the performance of the work, caused in whole or in part by any negligent act or omission of the Owner, any contractor or subcontractor of the Owner, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder.

11. If there is more than one Owner named in this instrument, the obligations of the Owners shall be joint and several, and all references to Owner in the singular person in this instrument shall be understood to include all the heirs, administrators, executors, successors and assigns of Owner.
12. Whenever required by the context of this instrument the singular number shall include the plural and the masculine gender shall include the feminine and the neuter.

IN WITNESS WHEREOF, the parties have hereunto caused this agreement to be signed and sealed, this ____ day of _____, 20____.

_____ [SEAL]

_____ [SEAL]

Owner(s)

The City of Nashville, Georgia

[SEAL OF CITY]

By: _____

Title: _____

Attest: _____

Clerk of the City of Nashville

G.5 CONTRACT FOR PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____, as Principal (hereinafter referred to as the "Owner," and _____, as Surety, are hereby held and firmly bound unto the City of Nashville, Georgia (hereinafter referred to as the "City") in the sum of _____ Dollars (\$_____), for the payment of which sum well and truly to be made, we bind ourselves and our successors, assigns, heirs, and personal representatives, jointly and severally, by these presents.

WHEREAS, the Owner has entered into a certain agreement dated the _____ day of _____, _____ (hereinafter referred to as the "Agreement"), for _____, which Agreement and all specifications contained or referred to therein are by reference made a part hereof,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Owner and all subcontractors to whom any portion of the work provided for in the Agreement is sublet and all assignees of the Owner and of such subcontractors shall promptly make payment to all persons supplying the Owner or any such subcontractor with labor, products, services or supplies for or in the prosecution of the work provided for in the Agreement or in any amendment or extension of or addition to the Agreement, and for the payment of reasonable costs and attorneys fees, incurred by the claimants in suits on this bond, the above obligation shall be null and void; otherwise it shall remain in full force and effect.

HOWEVER, THIS BOND IS SUBJECT TO THE FOLLOWING CONDITIONS AND LIMITATIONS:

- (a) Any person, firm, or corporation that has furnished labor, products, or supplies for or in the prosecution of the work provided for in the Agreement shall have a direct right of action against the Owner and Surety on this bond, which right of action provided for in the Agreement is to be performed or in any country in which the Owner or Surety does business. Such right of action shall be asserted in proceedings instituted in the name of the claimant or claimants for his or their use and benefit against the Owner and Surety or either of them (but not later than one year after the final settlement of the Agreement) in such action such claim or claims shall be adjudicated and judgment rendered thereon.
- (b) The Owner and Surety hereby designate and appoint _____ as the agent of either of them to receive and accept service of process or other pleading issued or filed in any proceeding instituted on this bond and hereby consent that such service shall be the same as personal service on the Owner and/or Surety, as the case may be.

- (c) In no event shall the Surety be liable for a greater sum than the penalty of this bond, or subject to any suit, action or proceeding thereon that is instituted after than one year after the final settlement of the Agreement.

IN WITNESS WHEREOF, the Owner and Surety have each caused this agreement to be signed and sealed by (where applicable) their duly authorized officers or agents, on this the _____ day of _____, _____.

_____ [SEAL]

_____ [SEAL]

Owner(s)

_____ [SEAL]

Surety

G.6 CONTRACT FOR PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____, as Principal (hereinafter referred to as the "Owner," are firmly bound and held unto the City of Nashville, Georgia (hereinafter referred to as the "City"), for the benefit of those entitled thereto, in the sum of _____ Dollars (\$_____), for the payment of which sum well and truly to be made, in lawful money of the United States, we do hereby bind ourselves and our successors, assigns, heirs, and personal representatives.

BUT THE CONDITION OF THE FOREGOING OBLIGATION IS THIS:

WHEREAS, the City has entered into a contract with the Owner for the rehabilitation of certain property more particularly described as follows:

_____, as more fully appears in a written agreement bearing the date of _____ (hereinafter referred to as the "Agreement"), a copy of which is by reference made a part hereof.

NOW, THEREFORE, if the Owner shall fully and faithfully perform all the undertakings and obligations under the Agreement and shall fully indemnify and save harmless the City from all costs and damage whatsoever that the City may suffer by reason of any failure on the part of the Owner to do so, and shall fully reimburse and repay the City any and all outlay, cost and expense which the City may incur in making good any such default, then this obligation of bond shall be null and void; otherwise, it shall remain in full force and effect.

And for value received it is hereby stipulated and agreed that no charge, extension of time, alteration or addition to the terms of the Agreement or in the work to be performed thereunder, or the specifications accompanying the same shall in any wise affect the obligations under this the terms of the Agreement or to the work to be done thereunder or the specifications incorporated therein.

IN WITNESS WHEREOF, the Owner and Surety have each caused this instrument to be signed and sealed by (where applicable) their duly authorized officers or agents, on this the _____ day of _____, _____.

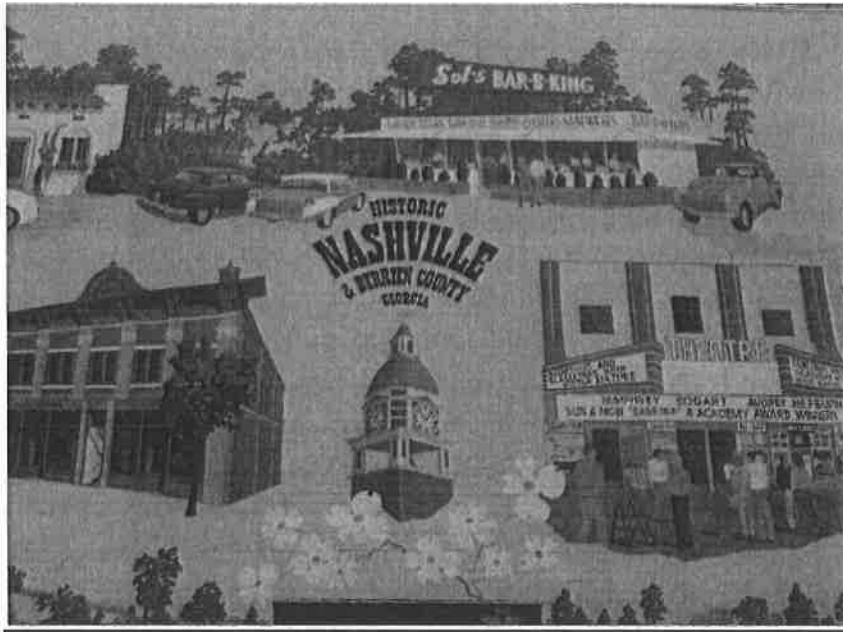
_____ [SEAL]

_____ [SEAL]
Owner(s)

_____ [SEAL]
Surety

City of Nashville

Commercial Urban Redevelopment Plan



Berrien County Chamber of Commerce

July 2012

Urban Redevelopment Plan

Introduction

An Urban Redevelopment Plan is the first step towards revitalizing the City of Nashville, Georgia. The URP contains three elements vital to the effective redevelopment of Nashville. The first element is a windshield survey of the entire city, assessing current conditions and determining which parcels qualify as slum and blight as defined by the Urban Redevelopment Act. This survey provides the basis for delineation of the Urban Development Area and prompts a resolution by the City Council declaring the need for an Urban Redevelopment Plan. The second element is the creation of an Enterprise Zone by resolution that clearly outlines how the negative conditions found in the Urban Redevelopment Area meet the definition of poverty, underdevelopment, general distress, slum, and blight as outlined in the Georgia Urban Redevelopment Act (O.C.G.A. 36-61-1). The third element is the designation of an Opportunity Zone by the Department of Community Affairs in the areas where the Urban Redevelopment Area, Enterprise Zone and pervasive poverty overlap, in order to encourage redevelopment by allowing that area to receive the maximum Job Tax Credits allowable by law. Additionally, the City of Nashville proposes to re-establish business development wherever practical in concert with commercial lending institutions, the Berrien County Economic Development Authority, the United States Department of Agriculture, the Georgia Department of Community Affairs, and others.

In May of 2011 a survey of the majority of the buildings and parcels within Nashville's City Limits was performed, noting the land use, building conditions, and building occupancy. This survey was enhanced and validated by comparison of tax information and property ownership as derived from the Berrien County Tax Assessor database, and other GIS data layers available through the South Georgia Regional Commission. The overall goal of this survey is to identify blocks of land conducive for redevelopment and buildings eligible for rehabilitation; the windshield survey will provide a good basis for understanding the overall property condition in the neighborhood, and consequently future development and redevelopment opportunities. In addition, it provides the legal framework for confirming the study area as containing "slum and blight" as defined by the official State of Georgia Urban Redevelopment Act.

Staff from the Berrien County Chamber of Commerce, Nashville Better Hometown, and Southern Regional Commission evaluated the dwellings in the target area using "windshield" survey techniques. This was done by traveling through the community and observing and documenting building and lot conditions. First, the current use of the property was documented. The types of property use identified were: residential, vacant lot, commercial, industrial, or public institutional. The construction type (manufactured or site built) of each building on each

property was also noted. Next, the overall condition of the property was noted, using the following definitions:

(V) Vacant—no building or improvement upon property and/or undeveloped land

(S) Sound—building is in good, stable condition

(DE) Deteriorated—building is in need of maintenance and/or minor repairs

(DI) Dilapidated—building is in need of major repairs and/or structurally unstable

(MH) Mobile Homes

Finally, any unusual elements or features were noted. This survey method is designated to gather quickly as much information as possible. It is by no means a thorough building condition report, but serves as a starting point to identify properties needing immediate attention, or those that offer opportunities for infill. The properties inventoried are those identified by the City of Nashville for inclusion in the first phase of the redevelopment initiative. Additional inventories may be conducted as the redevelopment program progresses and evolves.

Using appropriate private and public resources, the objectives of this Urban Redevelopment Plan are to:

- Revitalize blighted, deteriorating areas within the City of Nashville
- Support nuisance ordinances in order to reduce litter and crime
- Allow the City of Nashville to reduce or abate local property taxes and regulatory fees through the use of an Enterprise Zone
- Expand the City of Nashville's access to job credits and/or CDBG funding through the creation of an Opportunity Zone
- Encourage compatible infill development
- Enable downtown projects beyond the normal powers or district boundaries of the Downtown Development Authority
- Adaptively use vacant and/or historic structures and obsolete facilities
- Reinvigorate declining commercial strip centers
- Allow creative financing of public facilities and/or infrastructure

The City's future land use goals of this Urban Redevelopment Plan are consistent with existing regulation and the Berrien County Comprehensive Plan.

Executive Summary

The City of Nashville proposes to re-establish economic development wherever practical in concert with commercial lending institutions, the United States Department of Agriculture, the Georgia Department of Community Affairs, and others. Through resolution, the City has designated an Urban Redevelopment Area within its incorporated boundaries for the purposes of accomplishing this goal. The resolution and accompanying Enterprise Zone Ordinance states clearly the negative conditions that were found to exist in the area and how this area meets the definition of slum, blight, and poverty as contained within applicable laws.

Commercial reinvestment will be used as the cornerstone of this revitalization strategy. Commercial reinvestment will be spurred through the layering of tax credits and other incentives available within the area designated by the City Council and known as the Nashville Enterprise Zone.

A photometric survey was conducted of the designated area and revealed numerous vacant, dilapidated structures and un-kept lots. For commercial/industrial structures, the City proposes to address these targeted properties through enacting the following:

The targeting of approximately 129 deteriorated or undeveloped properties (commercial and industrial properties only) within the Urban Redevelopment Area that have been identified as uninhabitable, unsafe and unworthy of rehabilitation. *(In August 2010 Berrien County was recently designated a Community of Opportunity by the Department of Community Affairs and one of the goals of this initiative is to address residential needs. Nashville-Berrien County has been accepted into the Georgia Initiative for Community Housing GICH and is pursuing housing improvement strategies through that program.)*

Input on this plan will be undertaken through a robust public hearing process. The frequently asked questions list and condemnation checklist will be handed out to citizens to explain the program and illustrate the process that the City will undertake. Applicable documents within this plan will be provided and executed regarding dispensation of targeted properties. Once public input has been received and/or incorporated into the plan, the Council will adopt and formally begin its strategy.

It is within the City's purview to examine its land use plan to ensure full compliance of this Urban Redevelopment Plan with existing regulations and the comprehensive plan.

The Urban Redevelopment Act

The Urban Redevelopment Act (O.C.G.A. 36-61-1 et.seq.) was adopted in 1955 by the Georgia General Assembly. The 1950's were a period when many Federal resources were focused on improving living conditions and addressing poverty and blight in American cities. Most states, including Georgia, created state enabling legislation to access Federal Housing and Urban Renewal funds. Much has changed since O.C.G.A. 36-61-1 was adopted. Fewer federal funds are now available for community redevelopment, and over the last five decades many lessons have been learned about the economics of adoptive reuse and historic preservation, creating livable communities, and the positive and negative social impacts of physical design. Still, for Georgia cities and counties embarking on community revitalization project, the Urban Redevelopment Act remains the most powerful, flexible, and easy to use legislative tool governing the use of eminent domain and bond financing to support successful public/private revitalization partnerships.

The Urban Redevelopment Act (the "Law") gives cities and counties in Georgia specific powers to rehabilitate, conserve or redevelop of any defined geographical area that is designated as a "slum area". As a prerequisite of exercising these powers, the City Council or County Commission must adopt a resolution finding that the area constitutes a "slum area" as defined by the Law and that redevelopment of the area is "necessary in the interest of the public health, safety, morals, or welfare" of the residents of the jurisdiction. In addition to designating by resolution an "urban redevelopment area" appropriate for redevelopment projects, the Law requires adoption by the local government of an urban redevelopment plan for the target area.

The word "urban" in the title is actually misleading, since the Law is applicable to, and can be especially useful in, very small rural communities and even suburban settings. In fact, rural counties were among the first governments to see the Law for the purpose of rehabilitation of deteriorating neighborhoods or increasing their supply of affordable housing. Unfortunately, there is no actual record of how many urban redevelopment plans have been implemented using this statute, since the Law does not require local governments using the Urban Redevelopment Act to report or seek approval from a state agency.

Another factor that has reduced the use of the Law is that it is easily confused with the similarly titled Urban Redevelopment Powers Act (O.C.G.A. 36-44-1), which authorizes tax allocation districts. Although both laws have community development as their goals, the Urban Redevelopment Powers Act is more procedurally complex, more difficult to implement and has a much narrower focus and applicability.

Today, with suburban sprawl impinging on an ever-shrinking supply of undeveloped land, the pendulum of public policy and city planning theory have swung away from separation of land uses that characterized the zoning ordinances of the 1970's and 1980's. Land use patterns based primarily on accommodating automobiles are now being retrofitted successfully with denser, more pedestrian oriented and use integrated development modeled on the layout and aesthetic components that are so livable in the historic cores of our Georgia cities. Neo-traditional development principles (often labeled "smart growth") include: traditional gridded street patterns, smaller lots, narrower streets and setbacks, pedestrian circulation systems, and village style neighborhood commercial nodes. The residential densities and lot sizes drawn from Georgia's historic districts have also proved to be good patterns for building more neighborly neighborhoods. These design elements along with a synergistic mix of land uses, are proving very marketable. While suburbs still house a large percentage of America's population, there is growing evidence that many people are gravitating toward neighborhoods with more nightlife and cultural diversity as well as a less stratified socioeconomic mix. Creating new housing within walking distance of downtown and neighborhood commercial nodes; adaptively using vacant mills, warehouses, and factories; and amending local fire and building codes to allow upstairs loft living in historic downtowns are common success stories based on reintegrating uses and exciting people places with varying levels of activity and interactivity.

The Urban Redevelopment Act can be used alone, or in combination with many of Georgia's other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, rehabilitate older homes and neighborhoods, ensure architecturally compatible infill development, and generate new adaptive uses for old industrial and agricultural facilities. O.C.G.A. 36-61-1 offers solid support for innovative and thoughtfully crafted development strategies needed to solve the problems of these designated target areas.

The Urban Redevelopment Act has become more relevant recently for a variety of reasons. First, some sectors of the population (especially aging baby boomers, younger singles, and couples) are becoming increasingly interested in moving from the suburbs, which require long commutes to work, back into neglected section of large cities or relocating to small, charming towns. Real estate prices are appreciating and housing demand is strong near reinvigorated town centers and "village" commercial nodes. Second, our supply of affordable housing is aging and shrinking while the population needing this housing is growing; so many governments are looking to provide moderate income residents with viable options to manufactured housing. Third, at the state policy level, legislators and state agencies are encouraging cities and counties to be more strategic and creative in combining the state's wide array of legislative, program and funding tools for community revitalization. Accordingly, adopting an urban redevelopment plan pursuant to the Law has now been added as a threshold criterion for accessing some important development incentives. Communities are being encouraged to focus multiple resources and

tools in target areas that are economically disadvantaged or held back by impediments that discourage private sector investment.

Changes to Georgia's brownfield regulations and new streamlined programs created by Department of Natural Resources (DNR) now reduce liability for innocent investors (private and governmental) seeking to redevelop brownfield sites and offset cleanup costs with tax incentives. These constructive changes should help Georgia attract private investors to sites that were not economically viable previously, many of which are in or near downtowns and older neighborhoods. The Law is a promising tool for brownfield redevelopment because it simplifies land acquisition and allows the public sector to help finance infrastructure or related improvements.

Additionally, several programs created or administered by the Georgia Department of Community Affairs (DCA) have been modified based on refinements to state planning statutes. Progressive communities that adopt urban redevelopment plans may now be eligible for higher job tax credits and more competitive scoring on Community Development Block Grant (CDBG) applications. These program initiatives were designed to enable both urban and very rural communities to create more effective strategies to address pockets of poverty.

Compared to some of Georgia's other planning and community development statutes, the Urban Redevelopment Act is straightforward, flexible and free from unnecessary red tape. The Law also does a good job of balancing the community's need to improve the barriers to its overall economic development created by slum and blight with protection of the rights of property owners, and low income residents in particular.

Consistency with Comprehensive Plan

The Berrien County 2025 Comprehensive Plan was adopted in 2003. A partial update of the Berrien County Comprehensive was performed in 2010. A full update of comprehensive plan will be conducted in 2013. Our plan has not been updated with the new standard of character areas. Berrien County is still operating under activity centers.

Greater Berrien County, for future land use purposes, is divided into these two major service areas, Urban Service Area (USA) and Rural Service Area (RSA). The USA's represent the community growth centers where there is already existing or planned infrastructure and concentrated urban services to accommodate urban style development. The focus of our Urban Redevelopment plan will be exclusively in the Urban Service Area. Within the Urban Service Area there also exist sub areas for the various activity centers that will be included in the Urban Redevelopment Plan including the Downtown Activity Center and Urban Activity Center.

Downtown Activity Center: Nashville's Downtown Activity Center (DAC) corresponds with the visually recognizable central business district with in a large part is limited to those properties and developments adjacent to the Courthouse square. This area, largely commercial in nature, will continue to be the urban core of the City with the highest density of commercial land uses. Nashville's future land use pattern will be similar to its existing pattern with most vacant lands being shown as developed according to surrounding existing uses. Nashville will continue to be the main urban center and focal point for all major commercial, industrial and governmental growth for all of Berrien County. Future commercial development should locate in the Nashville's Downtown Activity Center or in the commercial Urban Activity Center lying south of the city's Downtown Activity Center. Only through the clustering of commercial growth and development can Nashville hope to compete with larger regional centers located in Douglas to the east, Tifton to the west, and Valdosta to the south. Opportunities for commercial use and reuse abound in these two commercial centers.

Industrial: Future industrial land use is recommended to be confined to two (2) compact areas based on existing major concentrations of industrial land uses. The first area is the cluster of industrial activities located due east of the city along Highway 65. The second industrial Urban Activity Center is anchored by the Norfolk Southern Railroad and lies in the southeast quadrant of the city limits and is adjacent to unincorporated county lands.

Public/Institutional: Future public and institutional land uses are generally depicted as existing and include four major school sites, as well as the governmental uses located west of the Downtown Activity Center and on the County Farm facility located in the southwest quadrant of the city.

Park/Recreation/Conservation: Future parks, recreation, and conservation areas are depicted as existing land uses. Should additional lands be converted to parks, recreation, or conservation usage, they should lie adjacent to existing facilities.

Transportation/Communications/Utilities: Future transportation, communication and utilities will remain generally as existing. Existing vacant subdivisions already contain the necessary road systems to serve platted lots. All existing public right-of-way will be maintained and all of those located in Nashville's Urban Service Area will be paved.

Agriculture/Forestry: Future agriculture and forestry uses are largely depicted as existing. These areas should be protected from urban encroachment for as long as possible in order to promote infill development.

The planning and implementation goals of this Urban Redevelopment Plan are consistent with the overall goals, policies, and objectives of the Berrien County 2025 Comprehensive Plan. Specifically, the following Comprehensive Plan goals and policies were used to guide the vision of this Urban Redevelopment Plan:

Cultural Resources

Goal 1: To encourage the protection and conservation of the rich historic heritage in Berrien County and the cities of Alapaha, Enigma, Nashville, and Ray City.

Policy 1.6: Develop a historic overlay district which could protect historic structures and sites in order to prohibit encroachment of surrounding areas.

Economic Development

Goal 2: Create and maintain a long-term sustainable and diverse economic base.

Policy 2.6: Create a task force that can establish goals and create ideas to attract new businesses to the county.

Policy 2.8: Research ways to create tax incentives for commercial property owners in an effort to reduce rental rates for commercial buildings.

Policy 2.9: Protect agricultural land from abutting uses.

Policy 2.10: Protect, preserve and promote the rural character of Berrien County.

Land Use

Goal 5: Protect and enhance the value of existing development areas; promote development and redevelopment within urbanized areas; create and enhance stable neighborhoods; and maintain accessible open space for future land use opportunities.

Community Facilities & Services

Goal 6: Develop and maintain public services and facilities to accommodate existing development and to encourage future sustainable growth in areas where community facilities and services are provided at adequate capacities.

The overall initiatives of this Urban Redevelopment Plan are consistent with the aforementioned goals and policies of the Berrien County 2025 Comprehensive Plan and will complement the development strategies of Nashville's activity centers.

Boundaries of the Urban Redevelopment Area

The boundaries of the Urban Redevelopment Area are the 129 corridor beginning at the Nashville City Limit boundary to the north and extending to the Nashville City Limit boundary to the south and one street over to the east and west of highway 129. Also included in the Urban Redevelopment Area is Historic Downtown Nashville as designated by the Georgia Department of Community Affairs. The Urban Redevelopment area will also encompass the two Industrial parks located in Nashville. A map of the Urban Redevelopment Area can be found in Appendix A. There are 465 property parcels within this area which comprises 1,125 acres.

Negative Conditions of the Urban Redevelopment Area

In 2011, a property conditions survey was conducted of most of the industrial and commercial parcels within the Urban Redevelopment Area. Evidence from this survey indicated negative conditions exist within the Urban Redevelopment Area and are detailed below:

Slum and Blight, Including Deteriorated, Obsolete, and/or Unoccupied Building(s)

The results from the property conditions survey indicated that the Urban Redevelopment Area contains numerous dilapidated and deteriorated structures that qualify as slum and blight under the Urban Redevelopment Act. Specifically, 47 dilapidated structures were identified in the survey. Dilapidated structures are those that are obsolete and/or visibly decayed due to age, wear, and neglect. Dilapidated buildings usually require major repair, or are structurally unsound to the point of being a threat to public safety.

The Urban Redevelopment Area also includes 31 deteriorated structures. Deteriorated structures may also be considered obsolete if the structure is over 40 years old. These structures are those that require minor repairs and/or standard maintenance in order to restore them to sound condition.

While conducting the Urban Redevelopment Survey, many of the dilapidated and deteriorated structures appeared to be unoccupied. Vacant structures can present a threat to public health and safety. The survey also revealed 98 properties which are undeveloped or now vacant (unimproved).

Dilapidated and deteriorated structures are interspersed throughout the Urban Redevelopment Area which encompasses the City of Nashville's commercial and industrial thoroughfares. These dilapidated and deteriorated structures are not concentrated in one specific section of the proposed Urban Redevelopment. Dilapidated and deteriorated structures are located on the main commercial thoroughfare (Highway 129), in the Downtown District, and in the Industrial areas included in the proposed plan. In many cases, sound structures have dilapidated/deteriorated structures located next door to them.

Potential Brownfields or Greyfields

The term "brownfield" describes land previously used for industrial or certain commercial purposes that is contaminated by a hazardous substance or pollutant. Typically, the expansion, redevelopment, or reuse of brownfields may be complicated by the presence or potential presence of such contaminants. Common brownfields include land that occupied former factories or industrial areas. Smaller sites, such as those that once contained gas stations or dry cleaning business may also exhibit brownfield characteristics. Within Nashville, the potential for several brownfields exists.

The term "greyfield" denotes a previously developed site containing large expanses of paving that is currently not being used due to its obsolescence. Commonly, greyfields are former strip shopping plazas or malls. At this time, the Nashville Urban Redevelopment does not contain any brown field areas.

Constitutes an Economic or Social Liability

In general, the vacant and dilapidated properties within the Urban Redevelopment Area are an economic and social liability to the City of Nashville, as the parcels within the area are either substantially underutilized, do not promote business growth and retention, or do not serve as community focal points. Also, the dilapidated and deteriorated properties contribute little to the tax income of the state and the City of Nashville due to their low assessed value.

Detrimental to Public Health, Safety, Morals and/or Welfare

Overall, the blighted properties within the Urban Redevelopment Area are detrimental to public welfare as they do not contribute to the well-being of the community. Additionally, the unoccupied status of large commercial and industrial buildings located in both of Nashville's industrial park areas, are detrimental to public health and safety as well as potential fire hazards.

Deteriorated or Inadequate Infrastructure

Several infrastructure deficiencies were noted while the property conditions survey was being conducted. The Urban Redevelopment Area is lacking pedestrian and bicycle access. In addition many of Nashville's roads are in need of repair and/or repaving due to wear.

Community's Land Use Objectives

The City of Nashville's land use objectives are consistent with the Urban Redevelopment Plan contents. Because the Urban Redevelopment Area encompasses the City of Nashville's core business and industry corridor existing land use in the Urban Redevelopment Area is primarily commercial (C), industrial (I), and public institutional (PI) with some residential (R) structures present in the area.

Zoning is an integral part of redevelopment and should be consistent with all objectives in both the Urban Redevelopment Plan and the Berrien County 2025 Comprehensive plan. Updated zoning is needed to support a greater variety of new development and redevelopment within the City of Nashville. The City currently has eight zoning classifications; however, because our Urban Redevelopment Plan is concentrating on the core business and industrial districts within the City of Nashville our plan will focus on the following classifications: Central Business District (CBD), General Business (GB), Heavy Industrial (HI), and Light Industrial (LI).

Description of Property to be Acquired

At this time, the City of Nashville has no plans to acquire parcels of property. Should circumstances change making property acquisition necessary, this plan will be amended to reflect the necessary changes.

Covenants and Restrictions to be Placed on Properties

At this time, there will be no covenants or restrictions place on properties. However, should covenants or restrictions be adopted, this plan will be revised to reflect those changes.

Structures to be Demolished, Relocated or Rehabilitated

During the creation of the City of Nashville Urban Redevelopment Plan, no structures were identified to be demolished, relocated or rehabilitated. It is anticipated that future phases of redevelopment may such action. Such properties may be acquired by the City of Nashville through eminent domain. Should this occur, the Urban Redevelopment Plan will be revised to reflect the structures planed for demolition, relocation or rehabilitation.

As the City of Nashville begins to implement the Urban Redevelopment Plan, many citizens will likely have concerns regarding the redevelopment process. In order to address their concerns, the City has addressed those likely concerns in the Frequently Asked Questions (FAQ) section of this plan. The Condemnation Checklist details the procedures the City of Nashville will take should the City proceed with acquiring property through eminent domain. General Redevelopment documents and agreements regarding dispensation of targeted properties as applicable to this Urban Redevelopment Plan have been provided in Appendix F.

Strategy for Relocation Displaced Residents

The City of Nashville has determined that the development of a relocation strategy is not necessary since the City of Nashville's Redevelopment Plan focuses primarily on the core business and industrial districts within the city limits. In the unlikely event displacement of residents occurs, the Urban Redevelopment Plan will be amended to incorporate a strategy/plan for relocating displaced residents in accordance with all local and state statutory requirements.

Historic Preservation Considerations

The City of Nashville was incorporated on December 20, 1892. The City's downtown area is filled with historic structures. The Berrien County Courthouse, Berrien County Jail, and several other structures are listed on the National Register of Historic Places. During the building survey, 10 dilapidated structures and 25 deteriorated structures were identified as being located within Nashville's Historic District. The City of Nashville values its historic resources by having adopted a historic preservation ordinance. Therefore, it is the recommendation that any contributing structure within the Nashville Historic District that has been identified as dilapidated or deteriorated within the Urban Redevelopment Plan be rehabilitated to the extent such rehabilitation is feasible. Rehabilitation of contributing historic properties should be undertaken through voluntary actions and the regulatory process. Both public and private rehabilitation efforts should follow the Secretary of Interior's Standards for Rehabilitation when conducting such work on historic resources. Furthermore, the City of Nashville will not substantially alter historic buildings in a manner inconsistent with the technical standards for rehabilitation, nor will it demolish historic buildings unless reuse is found to be infeasible.

Additionally, rehabilitating historic structures can carry tax advantages for the private property owner. The Georgia Department of Natural Resources, Historic Preservation Division, currently

offers an income tax credits program. In addition, the National Park Service has a federal income tax credit program for qualified rehabilitation expenses. Information on these programs can be found on the Historic Preservation Division's website at www.gashpo.org.

Public Infrastructure Improvements

The City of Nashville has identified the following areas where public infrastructure improvement would complement redevelopment.

Transportation Improvements

Road repair and resurfacing is necessary in numerous areas throughout the proposed Urban Redevelopment Area

Beautification and Aesthetics Improvements

In keeping with the history and architectural heritage of Nashville, Design Guidelines have been created for the Historic District. These guidelines should be revised to ensure future development is compatible and complementary to historic commercial buildings. Additionally, streetscape improvements are planned for our downtown area. The City of Nashville is working to improve the gateways to the City by pursuing GATEway grant funding from the Georgia Department of Transportation. The City of Nashville should also consider the relocation of electrical, telephone and other utilities underground where streetscape improvements are made.

Public Policy Improvements

As part of this Urban Redevelopment Plan, the adoption or revision of specific City ordinances could assist in alleviating slum, blight and other nuisance situations that could hinder redevelopment efforts.

- Sign Ordinance to govern the size, placement and types of signs within the city or specific area within the city (specifically the downtown area).
- Public Nuisance Ordinance to govern noise, trash, building maintenance, etc.
- A historic preservation ordinance is on the books; however, it should be reviewed and revised to reflect the goals of the 2025 Comprehensive Plan.

Utilities Improvements

Overhead utilities should be buried underground where possible making properties more aesthetically pleasing.

Currently, the City of Nashville operates its own water and sewer system, which is currently undergoing a multimillion dollar expansion and when completed should accommodate the City's current and future needs.

Strategy to Leverage Private Resources to Redevelopment

The City of Nashville has identified three resources to encourage development. First, upon completion of the Urban Redevelopment Plan, the City of Nashville intends to pursue Enterprise Zone and Opportunity Zone Designation for the entire Urban Redevelopment Area.

Enterprise Zones will enable the community to capitalize on potential incentives for businesses locating or expanding within in these areas. With an Enterprise Zone Designation, the City of Nashville is allowed to waive or reduce local regulatory fees within the Enterprise Zone Area, such as occupation taxes, license fees, and building inspection and/or permitting fees for qualifying businesses. Abatements for ad valorem tax are also available in designated Enterprise Zones. Such tax abatement will be decided upon by the City of Nashville, but must not exceed the schedule designated under the Urban Redevelopment Act. These abatements apply to commercial properties (*residential needs in the City of Nashville are being addressed through the Communities of Opportunity initiative and the GICH program*), but exclude taxes imposed by school districts and for general obligation debt. Benefits are available to any business enterprise which includes retail, manufacturing, warehousing, and distribution, processing telecommunications, tourism, research and development. Additionally, service enterprise made up of finance, insurance certain real estate activities and day care facilities are eligible for incentives within the area.

The City of Nashville has agreed to waive their portion of property taxes on the reassessed value of property after rehabilitation/redevelopment has taken place. After year six, property tax begins to increase, whereby after year ten 100 percent of taxes will again be collected on the property. It should be noted that property taxes will be collected during this entire period based on the original assessment and will increase based on the schedule below.

City of Nashville Enterpriser Zone Local Property Tax Exemption Schedule

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
100%	100%	100%	100%	100%	80%	80%	60%	40%	20%

Enterprise Zone Qualifications and documentation of need are as follows:

a. Underdevelopment

The housing assessment surveys identified 98 parcels that are currently vacant. In addition, of the City's total 413 business licenses issued in 2011, only 141 were issued for businesses within the URP, although the URP area (which constitutes 38.3% of the total city area) covers the majority (71%) of the commercial and industrial areas of the City. Furthermore, of the 343 commercial and industrial land use parcels within the URA, only the 141 business licenses have been issued.

b. Pervasive Poverty

Nashville suffers from pervasive poverty that is widespread throughout the nominated area and is evident and established by the following criteria;

In the three Census Block Groups nominated the poverty level exceeds 15% as reported by the U.S. Census of Population and Housing, 2010 Decennial Census prepared by the U.S. Census Bureau (2010).

Census Tracts included in the proposed Urban Redevelopment Area include:

9703 – 17.7% poverty

9704 – 21.6% poverty

9705 – 24.9% poverty

c. General Distress

Nashville suffers from general distress and adverse conditions as evident from the data collected in the City of Nashville Urban Redevelopment Plan dated November 2011. Indicators of distress and adverse conditions are outlined as follows:

- The building and land conditions surveyed contained within the Urban Redevelopment Plan indicates that over 175 buildings within the area are abandoned, dilapidated, and/or obsolete.
- Between 2008 and 2011, 904 (29.4%) of the total 3,080 total crimes occurring within the City happened within the urban redevelopment area. This is significant in view of the fact that the URP area is predominantly commercial and industrial in nature.

- The Urban Redevelopment Plan indicates that there is evidence of insufficient or non connecting street layout and deteriorated or insufficient infrastructure within the nominated area.

d. Unemployment

Unemployment rates range from 8.8% to 16.5% in the Block Groups that comprise the Urban Redevelopment Area. These are all well above the State of Georgia's unemployment rate of 8%.

Block Group # 130199703002 = 8.80% unemployment
 Block Group # 130199703003 = 13.8% unemployment
 Block Group # 130199704002 = 12.8% unemployment
 Block Group # 130199704003 = 11.3% unemployment
 Block Group # 130199705001 = 16.5% unemployment
 Block Group # 130199705002 = 10.9% unemployment

Furthermore, the city has experienced significant job losses, as the major employer within the area (Chaparral Boats) had to reduce its workforce from 1,100 to 368.

e. General Blight

Nashville suffers from general blight as evident by an inclusion of the entire area within the designated Urban Development Area as defined by paragraph (20) of Official Code of Georgia Annotated Section 36-61-2 for which an urban redevelopment plan will be adopted.

The City of Nashville will also seek to establish an Opportunity Zone. According to the Georgia Department of Community Affairs, Opportunity Zones are intended to encourage development and redevelopment in small geographic areas that are served by existing economic development programs. State resources are directed towards "pockets of poverty" in a way that can be supplemented by federal programs that DCA administers. Specific resources include the maximum job tax credit under law, the use of job tax credits against 100 percent of income tax liability and withholdings, as well as expansion of the definition of "business enterprise" to include all businesses of any nature. Nashville's redevelopment area is situated in three Census Block Groups with at least 15% or more in poverty, making opportunity zones a possibility.

Finally, businesses may also have funding options through the South Georgia Regional Commission's loan programs. The loan programs available through the SGRC work in conjunction with the banking industry to provide "gap" financing to viable businesses. Some of the programs available through the SGRC are the Small Business Administration 504 Loan, the Small Business Administration Guaranteed 7(A) Loan, the Economic Development Administration Revolving Loan Fund, and the Rural Development IRP Revolving Loan Fund. Like banks, the SGRC is highly regulated by federal agencies and must meet standards set by the

government and the SGRC's Board of Directors. Also similar to the banking industry, the SGRC uses the five C's of creditworthiness (character, capacity, capital, conditions, and collateral) to determine whether a loan proposal is worth considering. While eligibility of the project, loan amount, collateral requirements and other items vary from program to program, all loan programs sponsored by the SGRC require bank involvement in the loan, a down payment by the borrower and a business plan.

Strategy for Implementing the Urban Redevelopment Plan

Implementation of the Urban Redevelopment Plan is expected to occur over two or more phases, as deemed necessary by the City of Nashville. Phases I and II are detailed below.

Phase I: Formal adoption by resolution of the Urban Redevelopment Plan and Enterprise Zone; and the organization and adoption of the Urban Redevelopment Agency and coordination of the Urban Redevelopment Plan's administration.

In addition to adopting the Urban Redevelopment Plan and Enterprise Zone, the Nashville City Council will act as the Urban Redevelopment Agency, the advisory board charged with the responsibility of overseeing the Urban Redevelopment Plan's implementation. Responsibilities of the Nashville Urban Redevelopment Authority can be found in Sections 36-61-17 – 36-61-19 of the Urban Redevelopment Law in Appendix E.

Next, the City Council will apply for Opportunity Zone designation with the Department of Community Affairs. The Nashville City Council will also create an incentive package for prospective new businesses. Basically, this would be in the form of a print brochure detailing the incentives available to new businesses that locate within the Urban Redevelopment Area, Enterprise Zone, and Opportunity Zone. Finally the City Council will evaluate local codes to determine if any revisions or new codes are necessary in order to assist or benefit redevelopment efforts.

Implementation Schedule

Public Hearing	August 13, 2012
Adopt Urban Redevelopment Plan	August 13, 2012
Adopt Enterprise Zone Ordinance	August 27, 2012
Pursue Opportunity Zone Designation	Ongoing
Receive Opportunity Zone Designation (estimated)	December 2012
Offer incentive package to new businesses	Ongoing
Evaluate local codes within Urban Redevelopment Area	Ongoing

Phase II: After completion of Phase I activities, the Nashville City County acting as the Urban Redevelopment Council should focus on preparing a list of properties that are to be redeveloped.

The “targeted properties” will encompass empty, unkempt lots, or lots containing vacant or dilapidated structures, and are those identified as adversely affecting the tax base and being uninhabitable, unsafe, and unworthy of rehabilitation. At a minimum, this list should contain the following information about each property:

Property Address

Property Map

Property Parcel Number

Property Owner Name

Property Owner Address

Condition

Current Use

The 2011 windshield survey should aid in preparing such a list. The purpose of the targeted properties list is to facilitate the orderly redevelopment of these properties. It is important that redevelopment plans for vacant lots and properties with dilapidated, unoccupied buildings are addressed before any occupied structures.

Further phases undertaken for the purpose of redevelopment as stated within this plan may be undertaken by the City of Nashville as the City Council see fit. Additionally, this Urban Redevelopment Plan may be amended or modified at any time by the City of Nashville through the use of the Amendment Worksheet provided in Appendix D, and adopted by a formal resolution of the City of Council. Furthermore, this plan is able to be expanded into other areas of the City of Nashville and countywide.

APPENDIX A

Urban Redevelopment Plan Resolution

RESOLUTION NO. _____

A RESOLUTION TO DESCRIBE THE BOUNDARIES OF REDEVELOPMENT AREAS WITHIN THE CITY OF NASHVILLE; TO CAUSE A REDEVELOPMENT PLAN TO BE PREPARED FOR SAID AREAS, AND FOR OTHER PURPOSES.

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas in which the structures, buildings and improvements, by reasons of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation or open spaces, and the existence of conditions which endanger life and property by fire and other causes, is conducive to ill health, transmission of disease, infant mortality, high unemployment, juvenile delinquency and crime and is detrimental to the public health, safety, morals and welfare; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which by reason of the presence of a predominant number of substandard, slum, deteriorated, or deteriorating structures, inadequate parking, faulty lot layout in relation to size, adequacy, accessibility, and usefulness, unsanitary and unsafe conditions, deterioration of site and other improvements, tax delinquency exceeding the fair value of the land, diversity of ownership on defective or unusual conditions of title which prevent or encumber the free alienability of land, and the existence of conditions which endanger life and property by fire and other causes, substantially impair and arrest the sound growth of the community, retard the provision of housing accommodations and employment opportunities, and constitute an economic and social liability and is a menace to the public health, safety, morals and welfare in their present condition and use; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more open areas located within urbanized or developed areas which because of the presence of factors enumerated in the first two paragraphs hereof, substantially impair and arrest the sound growth of the community; and

WHEREAS, the Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which are substantially underutilized by containing open lots and parcels of land or by containing a substantial number of buildings or structures which are 40 years old or older or by containing structures or buildings of relatively low value as compared to the value of structures or buildings in the vicinity of the area or in which there is a shortage of housing that is affordable for persons of low and moderate income which the Council designate as appropriate for community development;

NOW, THEREFORE, BE IT RESOLVED by Council of the City of Nashville, Georgia, in a meeting duly assembled, pursuant to the authority granted by Official Code of Georgia Annotated Section 36-61-5, that the following described areas are hereby found and declared to be urban redevelopment areas as defined by Official Code of Georgia Annotated Section 36-61-5:

That certain area lying within the corporate limits of the City of Nashville, Georgia and being enclosed by the boundary identified in Exhibit "A" City of Nashville, Georgia Commercial Urban Redevelopment Area.

BE IT FURTHER RESOLVED, by Commission of the City of Nashville, Georgia, that the designation of the above description as an urban redevelopment area allows the council to request the preparation of a workable urban redevelopment plan in accordance with Official Code of Georgia Annotated Section 36-61-6 to address the presence of factors within the area and enumerated in the first four paragraphs hereof.

SO RESOLVED THIS _____ day of _____, 2011.

CITY OF NASHVILLE

Signature

Stephen T. Harper, Mayor

Attest:

Tina Ward, City Clerk

RESOLUTION

A RESOLUTION TO DESCRIBE THE BOUNDARIES OF REDEVELOPMENT AREAS WITHIN THE CITY OF NASHVILLE; TO CAUSE A REDEVELOPMENT PLAN TO BE PREPARED FOR SAID AREAS, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more urbanized or developed areas in which the structures, buildings and improvements, by reasons of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air sanitation or open spaces, and the existence of conditions which endanger life and property by fire and other causes, is conducive to ill health, transmission of disease, infant mortality, high unemployment, juvenile delinquency and crime and is detrimental to the public health, safety, morals and welfare; and

WHEREAS, the Mayor and Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which by reason of the presence of predominate number of substandard, slum, deteriorated, or deteriorating structures, inadequate parking, faulty lot layout in relation to size, adequacy, accessibility, and usefulness, unsanitary and unsafe conditions, deterioration of site other improvements, tax delinquency exceeding the fair value of the land, diversity of ownership or defective or unusual conditions of title which prevent or encumber the free alienability of land, and the existence of conditions of title which prevent or encumber the free alienability of land, and the existence of conditions of sound growth of the community, retard the provision of housing accommodations and employment opportunities, and constitute an economic and social liability and is a menace to the public health, safety, morals and welfare in their present condition and use; and

WHEREAS, the Mayor and Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more open areas located within urbanized and developed areas which because of the presence of factors enumerated in the first two paragraphs hereof, substantially impair and arrest the sound growth of the community; and

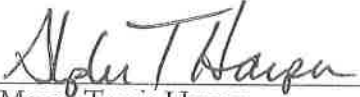
WHEREAS, the Mayor and City Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more urbanized or developed areas which are substantially underutilized by containing open lots and parcels of land or by containing a substantial number of buildings or structures which are 40 years old or older or by containing structures or buildings of relatively low value as compared to the value of structures or buildings in the vicinity of the area or in which there is a shortage of housing that is affordable for persons of low and moderate income which the Mayor and Council designates as appropriate for community development;

NOW THEREFORE IT BE RESOLVED by Mayor and Council of the City of Nashville, Georgia in a meeting duly assembled, pursuant to the authority granted by Official Code of Georgia Annotated Section 36-61-5, that the following described areas are hereby found and declared to be urban redevelopment areas as defined by Official Code of Georgia Annotated Section 36-61-5:


Legal description attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED, by Mayor and Council of the City of Nashville, Georgia that the designation of the above described lands as an urban redevelopment area allows the council to request the preparation of a workable urban redevelopment plan in accordance with Official Code of Georgia Annotated Section 36-61-6 to address the presence of factors within the area and enumerated in the first four paragraphs hereof.

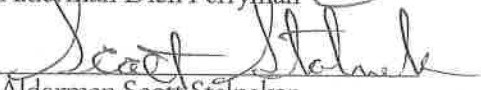
SO RESOLVED this 13th day of ^{October}~~September~~, 2009. *JH*



Mayor Travis Harper



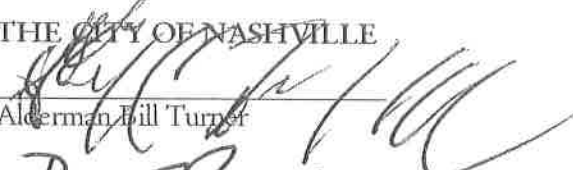
Alderman Dick Perryman



Alderman Scott Stalnaker

Alderman Billy Retterbush

THE CITY OF NASHVILLE



Alderman Bill Turner



Alderman Darrin Davis



Alderman Michael Richbourg

Attest:



City Clerk Johnny Hall

EXHIBIT "A"

All that certain area lying and being within the corporate limits of the City of Nashville and being all the current corporate limits as of the 28th day of September, 2009 less and except the following designated areas, to wit: Meadowbrook Subdivision, Rolling Hills Subdivision, Northview Heights Subdivision, and Woodlands Subdivision.

R-12-10

REVISED, MODIFIED AND AMENDED REDEVELOPMENT RESOLUTION

A RESOLUTION TO REVISE, MODIFY, AND AMEND THE BOUNDARIES OF REDEVELOPMENT AREAS WITHIN THE CITY OF NASHVILLE; TO CAUSE A REDEVELOPMENT PLAN TO BE PREPARED FOR SAID AREAS, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more urbanized or developed areas in which the structures, buildings and improvements, by reasons of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air sanitation or open spaces, and the existence of conditions which endanger life and property by fire and other causes, is conducive to ill health, transmission of disease, infant mortality, high unemployment, juvenile delinquency and crime and is otherwise detrimental to the public health, safety, morals and welfare; and

WHEREAS, the Mayor and Council of the City of Nashville, Georgia, find that there exists within the corporate limits of said city one or more urbanized or developed areas which by reason of the presence of predominate number of substandard, slum, deteriorated, or deteriorating structures, inadequate parking, faulty lot layout in relation to size, adequacy, accessibility, and usefulness, unsanitary and unsafe conditions, deterioration of site other improvements, tax delinquency exceeding the fair value of the land, diversity of ownership or defective or unusual conditions of title which prevent or encumber the free alienability of land, and the existence of conditions of title which prevent or encumber the free alienability of land, and the existence of conditions of sound growth of the community, retard the provision of housing accommodations and employment opportunities, and constitute an economic and social liability and is a menace to the public health, safety, morals and welfare in their present condition and use; and

WHEREAS, the Mayor and Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more open areas located within urbanized and developed areas which because of the presence of factors enumerated in the first two paragraphs hereof, substantially impair and arrest the sound growth of the community; and

WHEREAS, the Mayor and City Council of the City of Nashville, Georgia find that there exists within the corporate limits of said city one or more urbanized or developed areas which are substantially underutilized by containing open lots and parcels of land or by containing a substantial number of buildings or structures which are 40 years old or older or by containing structures or buildings of relatively low value as compared to the value of structures or buildings in the vicinity of the area or in which there is a shortage of housing that is affordable for persons of low and moderate income which the Mayor and Council designates as appropriate for community development;

WHEREAS, the Mayor and City Council of the City of Nashville have determined upon reflection that the urban development area adopted as Exhibit "A" to the original resolution adopted on the 13th day of October, 2009 is overbroad and needs to be modified, revised and amended so as not to include,

incorporate and encompass areas which do not best meet the criteria and conditions hereinabove stated and therefore this resolution to modify, revise and amend the redevelopment and resolution is adopted.

NOW THEREFORE IT BE RESOLVED that the original Resolution delineating and designating the proposed redevelopment areas is hereby revised and amended by Mayor and Council of the City of Nashville, Georgia in a meeting duly assembled, pursuant to the authority granted by Official Code of Georgia Annotated Section 36-61-5, and the following described areas are hereby found and declared to be urban redevelopment areas as defined by Official Code of Georgia Annotated Section 36-61-5:

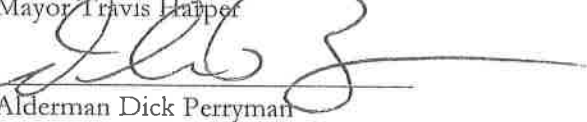
Legal description attached hereto as Exhibit "A".

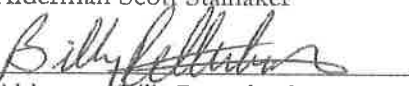
BE IT FURTHER RESOLVED, by Mayor and Council of the City of Nashville, Georgia that the designation of the above described lands as an urban redevelopment area allows the council to request the preparation of a workable urban redevelopment plan in accordance with Official Code of Georgia Annotated Section 36-61-6 to address the presence of factors within the area enumerated hereinabove.

BE IT FURTHER RESOLVED that this resolution amends and, to the extent same is in conflict with, supersedes the resolution adopted by the Mayor and Council on the 13th day of October, 2009.

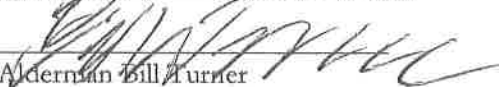
SO RESOLVED this 23rd day of August, 2010.


Mayor Travis Harper


Alderman Dick Perryman

Alderman Scott Stalnaker

Alderman Billy Retterbush

THE CITY OF NASHVILLE


Alderman Bill Turner


Alderman Darrin Davis


Alderman Michael Richbourg


Attest:

City Clerk Tina Haughton

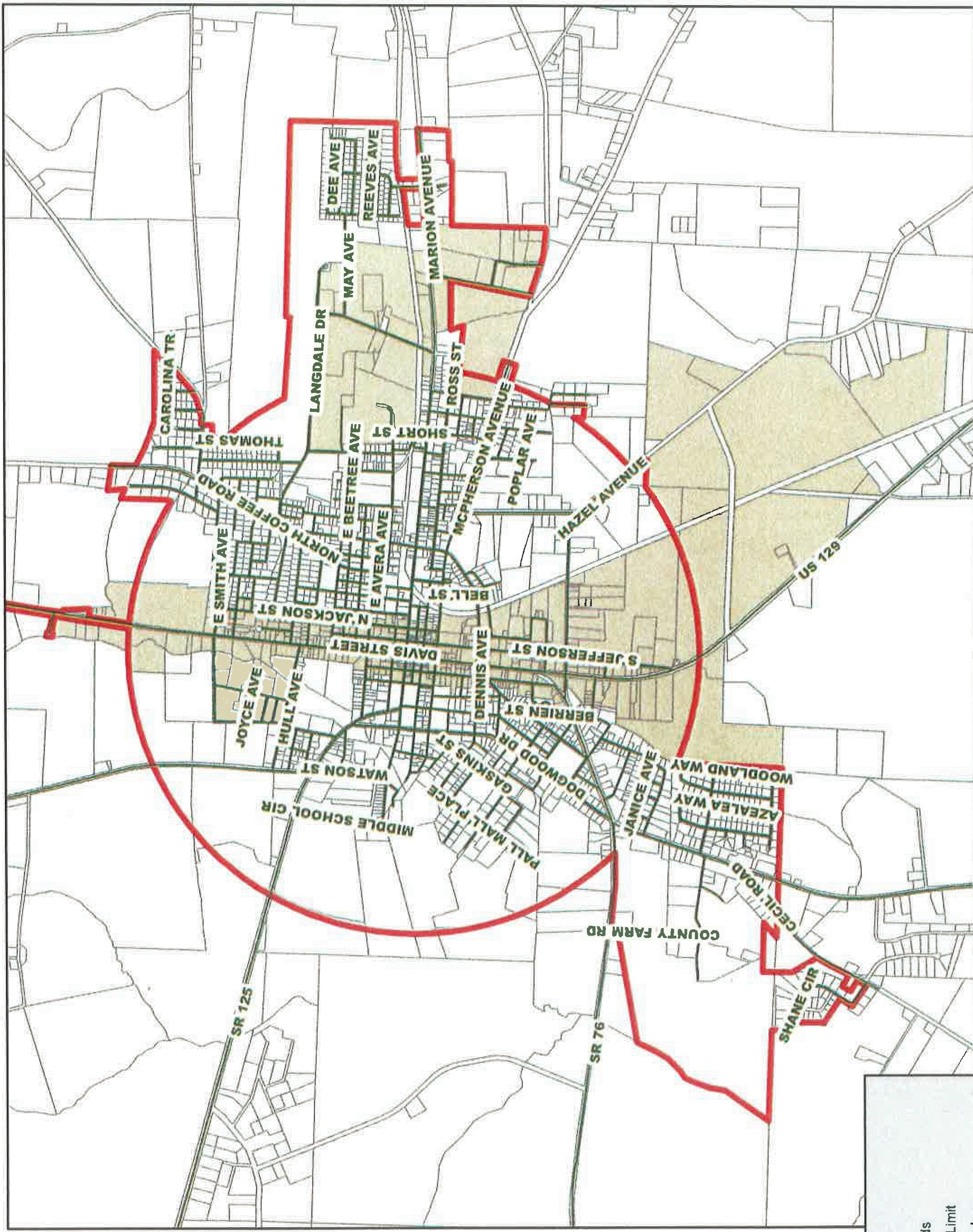
EXHIBIT "A"

All that certain area lying and being within the Corporate limits of the City of Nashville and being further defined as follows, to wit:

Highway 129 business corridor encompassing the 129 Business corridor from the southern city limits of South Davis to the Northern corporate limits of the City of Nashville; the Downtown area of the City of Nashville as designated by the Department of Community Affairs and the Better Hometown area as defined by The Better Hometown Charter, its Board of Directors, and city officials; the existing Industrial Parks lying and being in southern portion of the City of Nashville east of Highway 129 as well as the Industrial Parks on the eastern side of the corporate city limits, lying north and South of Highway 76.

Exhibit A: Urban Redevelopment Area

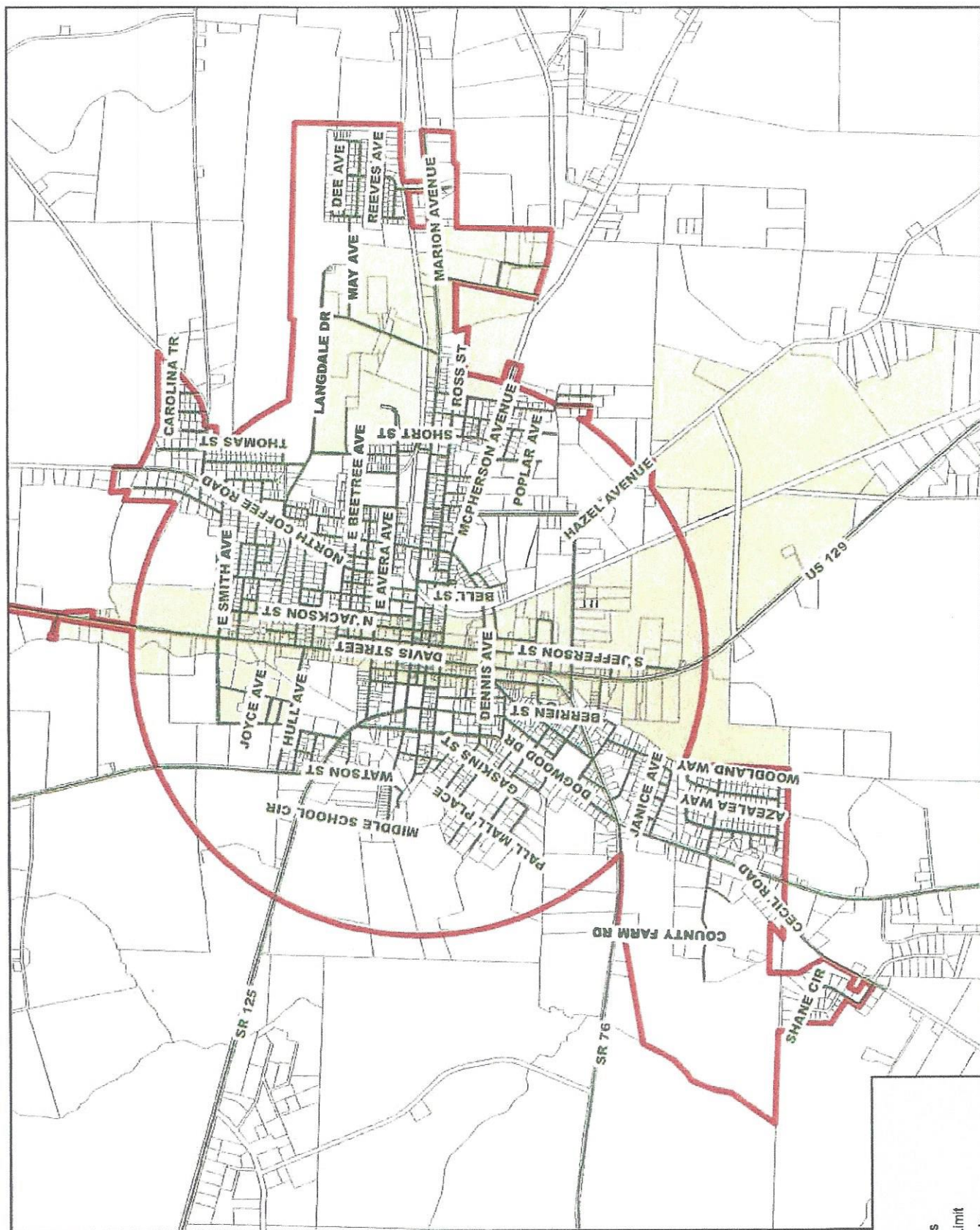
Nashville Urban Redevelopment Area



Legend

- Roads
- City Limit
- Parcels
- Urban Redevelopment Area

Nashville Urban Redevelopment Area



Legend

- Roads
- City Limit
- Parcels
- Urban Redevelopment Area

City of Nashville 1/1/2008 - 1/31/2011 Crime Statistics							
City of Nashville is 4.6 square miles							
2008 total crimes				786	These statistics were generated using the Nashville Police Dept. (NPD) crime incident database as a source for all crimes occurring within the City of Nashville, GA. SGRC completed spatial analysis within a GIS using on-hand street and boundary datasets.		
2008 part 1 crimes				339			
2008 part 1 crimes per square mile				170			
2009 total crimes				747	From approximately 8,370 records provided by NPD, nearly 3860 records were immediately excluded due to missing address information and therefore could not be geo-coded. 100% of these records however had incident dates from pre-2006 and made this loss irrelevant to this analysis. From the remaining 4706 records, approximately 3550 were geocoded using the incident address provided by NPD. The remaining 1156 records had only street names or block numbers as the incident address. Through record-by-record inspections, 694 of these issues were resolved and geo-coded. The remaining 462 records were unable to be included in this analysis, resulting in a total of geo-coded crimes across the city of 4,244.		
2009 part 1 crimes				285			
2009 part 1 crimes per square mile				162			
2010 total crimes				707	Furthermore, crime records with an incident date of pre-2008 were also excluded from this analysis. Once removed from the 4,244 total records, the grand total of crime records used for this analysis 3,080.		
2010 part 1 crimes				313			
2010 part 1 crimes per square mile				153			
2011 total crimes				773	"Part 1" Crimes include:		
2011 part 1 crimes				346			
2011 part 1 crimes per square mile				168			
YTD 2012 total crimes				67	<ul style="list-style-type: none"> - Homicide - Rape - Robbery - Aggravated Assault - Arson - Burglary - Larceny - Auto Theft 		
YTD 2012 part 1 crimes				24			
total				3080			
URP AREA 2008 - 2011 Crime Statistics							
URP Area is 1.8 square miles							
2008 total crimes				229	Non "Part 1" Crimes include:		
2008 part 1 crimes				95			
2008 part 1 crimes per square mile				127			
2009 total crimes				197	<ul style="list-style-type: none"> - Sex Offenses - Simple Assault - Forgery - Fraud - Stolen Property - Vandalism - Drug Violations - Family Offenses - Liquor Violations - Weapons Violations - Abduction - Terroristic Threats - Other Offenses 		
2009 part 1 crimes				70			
2009 part 1 crimes per square mile				109			
2010 total crimes				180			
2010 part 1 crimes				77			
2010 part 1 crimes per square mile				100			
2011 total crimes				269			
2011 part 1 crimes				97			
2011 part 1 crimes per square mile				149			
YTD 2012 total crimes				29			
YTD 2012 part 1 crimes				10			
total				904			

City of Nashville, Georgia

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
4	A & E ELECTRIC	702 DIANE AVE		NASHVILLE	GA	31639
5	A & Z AUTO	1318 E MARION AVE		NASHVILLE	GA	31639
6	A D PROBATION SERVICES, INC	429 E DENNIS AVE	PO BOX 829	NASHVILLE	GA	31639
7	A-1 TAXI CAB DBA 455-iCAB	720 PATTEN AVENUE		RAY CITY	GA	31645
8	ABELL CONSTRUCTION	3569 SAPPS LAKE RD		ENIGMA	GA	31749
9	ACCENTS-A MIX OF OLD & NEW	106 N DAVIS ST		NASHVILLE	GA	31639
10	ACCESS LOAN COMPANY	114 S JEFFERSON St		NASHVILLE	GA	31639
11	ADEPT SERVICES	303 W DENNIS AVE		VALDOSTA	GA	31603
12	ADORABLE APPAREL CONSIGNME	601 S BARTOW ST		NASHVILLE	GA	31639
13	ADVANCE AUTO PARTS	520 S DAVIS ST	P O Box 2710	NASHVILLE	GA	31639
14	ADVANTAGE TAX & ACCOUNTING	708 PARK PLACE		NASHVILLE	GA	31639
15	ADVENTUROUS CUISINES LLC	300 N TAYLOR ST. apt1		NASHVILLE	GA	31639
16	AFFORDABLE ROOFING	406 GARY AVE		NASHVILLE	GA	31639
17	AFFORDABLE TREE SERVICE	401 S COLLEGE ST		NASHVILLE	GA	31639
18	AFTER HOURS PLUMBING	163 SOUTHEAST RD		NASHVILLE	GA	31639
19	AGELESS CREATIONS	711 NORTH DAVIS ST	P O BOX 5034	NASHVILLE	GA	31639
20	AGGEORGIA FARM CREDIT, ACA	707 N DAVIS ST	P O BOX 126	NASHVILLE	GA	31639
21	AKRIDGE'S GET N GO	201 GREENRIDGE DR		NASHVILLE	GA	31639
22	ALCO STORES, INC	732 S JEFFERSON ST		NASHVILLE	GA	31639
23	ALL AMERICAN COATINGS	460 ALLEN PURVIS RD		LENOX	GA	31637
24	AMERICAN MIXED MARTIAL ARTS	334 S JEFFERSON ST		NASHVILLE	GA	31639
25	ANDREW WEEKS CONSTRUCTION	703 GAINNEY BRIDGE RD		NASHVILLE	GA	31639
26	ARK ELECTRICAL	598 UTOPIA CIRCLE		NASHVILLE	GA	31639
27	ART'S AFIRE	321 S DAVIS ST		NASHVILLE	GA	31639
28	ASHLEY INVESTMENT GROUP, LLC	P O BOX 1078		NASHVILLE	GA	31639
29	AUCTIONS ALIVE	107 S DAVIS ST		NASHVILLE	GA	31639
30	B & W ENTERPRISE DBA MAYNES MO	1512 CECIL RD		NASHVILLE	GA	31639
31	B C SPORTS	536-b S JEFFERSON ST		NASHVILLE	GA	31639
32	B H ELECTRONICS, INC	100 SPELLS ST	P O BOX 506	NASHVILLE	GA	31639
33	BADCOCK FURNITURE	700 TIFTON RD	P O BOX 965	NASHVILLE	GA	31639
34	BAILEY APPLIANCE & ELECTRONICS	204 E MARION AVE		NASHVILLE	GA	31639
35	BARRY'S DELI	102 E HALL AVE		NASHVILLE	GA	31639
36	BC LIGHTHOUSE ENTERPRISES, INC	209 N JACKSON ST		NASHVILLE	GA	31639
37	BCH MEDICAL INVESTORS, LLC	1221 E MCPHERSON AVE		NASHVILLE	GA	31639
38	BEAUTY SUPPLIES & HAIR PLUS	716 ADEL RD		NASHVILLE	GA	31639
39	BENTGRASS HOLDINGS, LLC	PO BOX 5045		NASHVILLE	GA	31639
40	BERRIEN ATHLETICS	603 ADEL RD		NASHVILLE	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
41	Berrien Auto Service	313 Anderson Rd		Nashville	GA	31639
42	Berrien Built Cabinets	519 S Bartow St		Nashville	GA	31639
43	Berrien County Farm Bureau	411 Tifton Rd		Nashville	GA	31639
44	Berrien County Hospital	1221 E McPherson Ave		Nashville	GA	31639
45	Berrien Health Center	414 E McPherson Ave		Nashville	GA	31639
46	Berrien Nursing Center	405 Laurel Avenue		Nashville	GA	31639
47	Betty's Beauty Shop	306 Joiner St		Nashville	GA	31639
48	Bill's Custom Climate H/A	63 Laurel Pine Lane		Nashville	GA	31639
49	Black & Son Funeral Home	1211 MLK Jr Drive		Nashville	GA	31639
50	BNC Medical Investors, LLC	405 Laurel St		Nashville	GA	31639
51	Bowhunters Corp., Inc.	726 S Davis St		Nashville	GA	31639
52	Boyd's Auto	1609 Cecil Rd		Nashville	GA	31639
53	Bradford Machine Shop	209 Day Ave		Nashville	GA	31639
54	Branch's Veterinary Clinic, PC	740 S Davis St		Nashville	GA	31639
55	Bro Charlie's Rescue Center	418 AB South Davis St		Nashville	GA	31639
56	Brookfield Auction		P. O. Box 230	Brookfield	GA	31727
57	Buck's Auto Repair	307 Hazel Ave		Nashville	GA	31639
58	Buddy's Home Furnishings	310 S Davis St		Nashville	GA	31639
59	Buddy's Top Notch Construction	3424 Possum Cr Rd		Ray City	GA	31645
60	Burke Landscaping & Irrigation	429 E Dennis Ave		Nashville	GA	31639
61	Cain's Appliance/Refrigeration	911 Thomas St		Nashville	GA	31639
62	Cakesalicious Bakery, Catering	717 S Davis St		Nashville	GA	31639
63	Camilla Pecan DBA Nville Pecan	419 S Davis St		Nashville	GA	31639
64	Capers, Cassia	201 Watson Street		Nashville	GA	31639
65	Care Medical Center, LLC	203 W Hamilton Ave		Nashville	GA	31639
66	Carter Auto Sales	313-A Anderson Rd		Nashville	GA	31639
67	Chaparral Boats, Inc.	300 Industrial Blvd		Nashville	GA	31639
68	Charles Produce	320 S Davis St		Nashville	GA	31639
69	CheyTac USA	541 Hazel Avenue		Nashville	GA	31639
70	China Garden	112 S Jefferson St		Nashville	GA	31639
71	Clark's Trading Co	111 W Marion Ave		Nashville	GA	31639
72	Colony Prescription Shop	1230 E McPherson Ave		Nashville	GA	31639
73	Communications Plus of Ga., LLC	328 S Jefferson St		Nashville	GA	31639
74	Computer Design, Inc.	421 E Dennis Ave		Nashville	GA	31639
75	Conger LP Gas, Inc.	P. O. Box 7644		Tifton	GA	31792
76	Conner, Hubbard & Co LLC	212 N Davis St		Nashville	GA	31639
77	Conyers Lawn	263 Bennie Griner Rd		Nashville	GA	31639
78	Cooper Electrical	1504 N Davis St		Nashville	GA	31639
79	Cornelius Monument	473 Cornelius Rd		Nashville	GA	31639
80	Cowboy Computers	401 N Davis St		Nashville	GA	31639
81	Cypress Pointe	605 Old Milltown Rd		Nashville	GA	31639
82	D & B Wholesale	31 Wrights Lane		Nashville	GA	31639
83	D & D Commercial Service	718-A Brian Street		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
84	D & D Dozer	1500 Old Milltown Rd		Nashville	GA	31639
85	D & D Rental Properties	314 E Marion Ave		Nashville	GA	31639
86	D-Tech Pest Services	1404 Cypress Rd		Nashville	GA	31639
87	D-s Limousine Services	706 S Dogwood Dr		Nashville	GA	31639
88	Daily Lawn Care	92 Heather Lane		Nashville	GA	31639
89	Davis Enterprises	3279 Baker Sawmill		Lenox	GA	31639
90	Davis Lawn Maintenance	204 Magnolia Dr		Nashville	GA	31639
91	Day's Transmission	106 Tifton Rd		Nashville	GA	31639
92	Deep South Produce	1303 Woodland Way		Nashville	GA	31639
93	Dennis Higgins Home Improvement	1947 Enigma Hwy		Nashville	GA	31639
94	Dessa's	109 S Davis St		Nashville	GA	31639
95	Diamond Realty	319 Rosedale Place		Valdosta	GA	31603
96	Digital Express Wireless, Inc.	100 E McPherson Ave		Nashville	GA	31639
97	Discount Corner	302 S Davis St		Nashville	GA	31639
98	Dixie Sales & Graphics	512 S Davis St		Nashville	GA	31639
99	DJ's Gym	709 N Davis St		Nashville	GA	31639
100	Dogwood Pharmacy, LLC	501 N Davis St		Nashville	GA	31639
101	Dogwood Real Estate Services	112 N Dogwood Dr		Nashville	GA	31639
102	Dollar General Store #2049	205 E McPherson Ave		Nashville	GA	31639
103	Domino's Pizza	702 Tifton Rd		Nashville	GA	31639
104	Double D's Carpentry Svs	1004 E Beetree Ave		Nashville	GA	31639
105	Douglas Collision	803-B Tifton Hwy		Nashville	GA	31639
106	Down on the Corner	100 S Jefferson St		Nashville	GA	31639
107	Downtown Center	101 S Davis St		Nashville	GA	31639
108	Dr. H. J. Decker III PC	406 E McPherson Ave		Nashville	GA	31639
109	Dreamscapes Photography	109 N Dogwood Dr		Nashville	GA	31639
110	Easy Towing & Recovery	162 Shelby Sutton La		Nashville	GA	31639
111	Eclipse Framing & Supply	107-A Dogwood Dr		Nashville	GA	31639
112	Enviro-Works Inc	106 W Washington Ave		Nashville	GA	31639
113	Environmental Home Protection	1202 N Ashley St		Valdosta	GA	31603
114	Erin's Maintenance	P. O. Box 298		Ray City	GA	31645
115	Everett's Custom Interiors	416 E Marion Ave		Nashville	GA	31639
116	Every Now & Then	612 N Davis St		Nashville	GA	31639
117	Faith Ministry Church Presch	302 E Marion Ave		Nashville	GA	31639
118	Family Auto & Truck Sales	408 S Jefferson St		Nashville	GA	31639
119	Family Dollar Stores of GA	713 S Davis St		Nashville	GA	31639
120	Farmers Furniture	715 Adel Rd		Nashville	GA	31639
121	Fausett Oil Co	305 Hazel Ave		Nashville	GA	31639
122	Flash Foods #22	519 S Davis St		Nashville	GA	31639
123	Fly Away Bail Bonds, LLC	102 East Avenue		Nashville	GA	31639
124	Four Guys Convenience, LLC	405 S Davis St		Nashville	GA	31639
125	Franklins Ice Cream	7705 Hwy 125		Nashville	GA	31639
126	Fred's Store #2425	719 S Davis St		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
127	Fulp Jewelers	110 S Jefferson St		Nashville	GA	31639
128	G Clarke Harkins Chiropractic	703 N Davis St		Nashville	GA	31639
129	Garner Realty Group LLC	602 N Davis St		Nashville	GA	31639
130	Garner's Lawn Care	914 S Dogwood Dr		Nashville	GA	31639
131	Gaskins Food Systems	415 Davis St		Nashville	GA	31639
132	Genesis Christian School	305 N Ann Street		Nashville	GA	31639
133	Gift Shop	314 S Davis St		Nashville	GA	31639
134	Gil's General Contractor	625 Vickers Rd		Nashville	GA	31639
135	Gil's Landscaping	625 Vickers Rd		Nashville	GA	31639
136	Gold Creek Surplus	706 S Davis St		Nashville	GA	31639
137	Golden Stop	401 S Davis St		Nashville	GA	31639
138	Graceland of Nashville	420 S Davis St		Nashville	GA	31639
139	Grandad's Pest Control	P. O. Box 391		Nashville	GA	31639
140	Green Haven Consulting	1012 S Dogwood Dr		Nashville	GA	31639
141	Greg Weaver Construction	P. O. Box 82		Ray City	GA	31645
142	Griffin Plants	148 Bertha Robertson		Nashville	GA	31639
143	Griner's Barber Shop	206 S Jefferson St		Nashville	GA	31639
144	Griner's Country Corner	202 S Jefferson St		Nashville	GA	31639
145	GS Erosion Control	P. O. Box 1055		Nashville	GA	31639
146	Guthrie Motors	P. O. Box 752		Nashville	GA	31639
147	Hair & Body Worx Salon	202 Tifton Rd		Nashville	GA	31639
148	Hair After Five Salon	313-1/2 Avera St		Nashville	GA	31639
149	Hair Shack	703-1/2 N Davis St		Nashville	GA	31639
150	Hamilton & Perryman, LLC	104 W Washington Ave		Nashville	GA	31639
151	Hand Surveying Co	832 Day Lily Farm Rd		Nashville	GA	31639
152	Happy Kids	117 E Washington Ave		Nashville	GA	31639
153	Hardees' of Nashville	620 S Davis St		Nashville	GA	31639
154	Harmon Glass Co	1903 Lynn Ave		Nashville	GA	31639
155	Harvey's Supermarket #2408	217 E McPherson Ave		Nashville	GA	31639
156	Head to Toe Salon	425 E Dennis Ave		Nashville	GA	31639
157	Hester's Starter & Alt	202 N Jefferson St		Nashville	GA	31639
158	Hidy Ho Let's Go Lawn Serv	2007 Lynn Ave		Nashville	GA	31639
159	Highpoint Thomasville Carriers	1706 Pleasant Union		Trinity	NC	27262
160	Hollywood's Fashion	102 W Marion Ave		Nashville	GA	31639
161	Houston & Company Investments	307 Dogwood Dr		Nashville	GA	31639
162	Howard Ray Construction	8006 Hwy 129		Nashville	GA	31639
163	Huddle House #245	718 S Davis St		Nashville	GA	31639
164	Ice Box Ice, Inc	726(A) S Davis St		Nashville	GA	31639
165	J and J Boutique	208 S Jefferson St		Nashville	GA	31639
166	J and C Automotive Repair	503-B Hazel Ave		Nashville	GA	31639
167	J & J Cleaning Services	4510 Kinley Court		Valdosta	GA	31603
168	J D Cleaners		P. O. Box 3	Ray City	GA	31645
169	J J's Hair Affair	1214 E Washington Ave		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
170	J J's Handyman	3353 Old Valdosta Rd		Ray City	GA	31645
171	J W Renfroe Pecan Co	304 E Dennis Ave		Nashville	GA	31639
172	James Auto Parts Inc	510 S Davis St		Nashville	GA	31639
173	James D Royals	1108 S Berrien St		Nashville	GA	31639
174	James Rutherford	2 Frank Road		Nashville	GA	31639
175	Jay C Surratt, DO	603 E Dennis Ave		Nashville	GA	31639
176	Jay Gayatri Krupa, Inc.	1001 S Dogwood Dr		Nashville	GA	31639
177	Jeffery N Cox, DMD	211 W McPherson Ave		Nashville	GA	31639
178	Jim's Guns/Laseter Communicat	1033 N Davis St		Nashville	GA	31639
179	Jim's Heating & Cooling	81 Yancey Rd		Nashville	GA	31639
180	Jimmy Fulp	13394 US as9		Nashville	GA	31639
181	Joe's Bait & Tackle Shop	234 Cypress Rd		Nashville	GA	31639
182	Joe's Mobile Home Repair	318 Wm Griffin Lane		Alapaha	GA	31622
183	Joiner's Cabinet Shop	901 Langdale Dr		Nashville	GA	31639
184	Julie's Sticks, Feathers & Flow	1405 Woodland Way		Nashville	GA	31639
185	K & D Subs	403 S College St		Nashville	GA	31639
186	K & K Car Wash	202 N Davis St		Nashville	GA	31639
187	K & K Industrial	712 Berrien St		Nashville	GA	31639
188	K/C Ice, LLC	512 S Davis St		Nashville	GA	31639
189	Kabounce, LLC	149 Browning Rd		Nashville	GA	31639
190	Kathy's School of Gymnastics	316 S Bartow St		Nashville	GA	31639
191	KCS Unlimited	1303 Forest Way		Nashville	GA	31639
192	KDR Foodmart DBA Mr G's Mkt	705 N Davis St		Nashville	GA	31639
193	Keen Realty	104 S Jefferson St		Nashville	GA	31639
194	Kent Construction	4119 Barber Shop Rd		Nashville	GA	31639
195	KK Food Mart	401 S Davis St		Nashville	GA	31639
196	Knight Law Firm, PC	P. O. Box 1002		Nashville	GA	31639
197	Kuntroversy Records, LLC	1713 A-4 Old Coffee Rd		Nashville	GA	31639
198	Kutz & Krlz Salon	304 Bullock Ave		Nashville	GA	31639
199	L J's Side Street Dogs	1416 Camellia Way		Nashville	GA	31639
200	La Puerta Del Sol	704 Tifton Rd		Nashville	GA	31639
201	Lanier and Son Electric	301 Patricia Lane		Ray City	GA	31645
202	Larger Law & Mediation, LLC	104 N Dogwood Dr		Nashville	GA	31639
203	Laverne Hall Construction	905 Parrish St		Nashville	GA	31639
204	Law Office of Mickey Johnson	408 W Washington Ave		Nashville	GA	31639
205	Lawn Crafters	9016 Old Valdosta Rd		Nashville	GA	31639
206	Lawn Medics	405 Rogers Ave		Nashville	GA	31639
207	Lew Consulting Services	404 Hull Ave		Nashville	GA	31639
208	Linda's Cleaning Service	2788 Gladys Road		Alapaha	Ga	31622
209	Lindsey's Hometown Pharmacy	407 E McPherson Ave		Nashville	GA	31639
210	Lolley's Tree Service	98 MGM Lane		Nashville	GA	31639
211	Lott Pest Control	111 N Dogwood Dr		Nashville	GA	31639
212	Lovein Funeral Home	1218 Adel Rd		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
213	Luke, R M	2294 Hwy 168		Nashville	GA	31639
214	M & J's Lawn Care	1535 Sirmans Rd		Ray City	GA	31645
215	Madbeaver Firewood & Tree Svc	880 Whitepond Rd		Nashville	GA	31639
216	Mae's Cafe	902 E Marion Ave		Nashville	GA	31639
217	Magnolia House of Furniture	106 Spells St		Nashville	GA	31639
218	Main Street Salon	209 W McPherson Ave		Nashville	GA	31639
219	Market Café	206 South Street		Nashville	GA	31639
220	Marlon Giddens Construction	7926 Massey Post Rd		Sparks	Ga	31747
221	Martin Motors	709 S Davis St		Nashville	GA	31639
222	Mary Jane's Beauty Shop	1104 2 Berrien St		Nashville	GA	31639
223	Mary's Florist	717 S Davis St		Nashville	GA	31639
224	Master Shine Car Wash	515 E Washington Ave		Nashville	GA	31639
225	McCorvey Homes	11063 Barneyville Rd		Sparks	GA	31747
226	McCranie-Griner	747 S Davis St		Nashville	GA	31639
227	McDonald's #13353	609 Davis St		Nashville	GA	31639
228	McLellan's Appliance Repair	383 N Street		Ray City	GA	31645
229	MDHK Lawn Service & Landscaping	1801 Osborne Rd		Nashville	GA	31639
230	Memories by JM	717 S Davis St		Nashville	GA	31639
231	Mend-A-Dent Collision Center	310 S Davis St		Nashville	GA	31639
232	Merritt Construction & Design	290 Sweet Water Lane		Nashville	GA	31639
233	Mike Burch Ford	723 S Davis St		Nashville	GA	31639
234	Miller's Supplies, Inc	701 E Marion Ave		Nashville	GA	31639
235	Mitchell O Moore, PC	110 N Dogwood Dr		Nashville	GA	31639
236	Morning Bucket LLC	730 S Davis St		Nashville	GA	31639
237	Morris & Shaw Insurance Agency	106 N Dogwood Dr		Nashville	GA	31639
238	Morrison's Home Center, Inc.	536 S Jefferson St		Nashville	GA	31639
239	Mr B's Produce	304 S Bell St		Nashville	GA	31639
240	Mr. G's Market/NIA Patel Inc	705 N Davis St		Nashville	GA	31639
241	Musician's Vault	1732 Hwy 135		Nashville	GA	31639
242	N'ville Massage & Skincare Spa	114 S Jefferson St		Nashville	GA	31639
243	Nails by Michelle	304 S Davis St		Nashville	GA	31639
244	Nana's House Quilt Shop	306 Joiner Street		Nashville	GA	31639
245	Nash Landscaping	152 Nash Bros Frm Rd		Nashville	GA	31639
246	Nashville Bag Co., Inc.	400 Watson St		Nashville	GA	31639
247	Nashville Credit Union	902 S Davis St		Nashville	GA	31639
248	Nashville Eye Center	205 W McPherson Ave		Nashville	GA	31639
249	Nashville Gold & Pawn	418-B S Davis St		Nashville	GA	31639
250	Nashville Healthplus	205 Dogwood Dr		Nashville	GA	31639
251	Nashville Inn	600 S Jefferson St		Nashville	GA	31639
252	Nashville Laundry Mat	506-1/2 E McPherson Ave		Nashville	GA	31639
253	Nashville Mobile Home Supply	506 E Marion Ave		Nashville	GA	31639
254	Nashville Recycling Inc.	500 Hazel Ave		Nashville	GA	31639
255	Nashville Tractor Inc	807 Tifton Rd		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
256	NCR Corporation	519 S Davis St		Nashville	GA	31639
257	NBD Construction	512 S Davis St		Nashville	GA	31639
258	Nell's Beauty Shop	501 W Hull Ave		Nashville	GA	31639
259	New Millenium Bargain Store	1001 E Marion Ave		Nashville	GA	31639
260	Newbern Construction Co	210 Spell St		Nashville	GA	31639
261	NIDHI Corporation	1001 S Dogwood Dr		Nashville	GA	31639
262	Nville Chiropractic & Wellness	102 E Marion Ave		Nashville	GA	31639
263	O'Neal's Country Buffett	201 E McPherson Avenue		Nashville	GA	31639
264	Obsolete Ford Parts	311 E Washington Ave		Nashville	GA	31639
265	Obsolete Parts Co	524 Hazel Ave		Nashville	GA	31639
266	Ole Fashion Cleaners	215 E Washtinton Ave		Nashville	GA	31639
267	O2B Tan	104 E Marion Ave		Nashville	GA	31639
268	Pa's Country Meats	308 E McPherson Ave		Nashville	GA	31639
269	Pap's III	730 E Marion Ave		Nashville	GA	31639
270	Parrish Griffin Tax Service	925 Adel Rd		Nashville	GA	31639
271	Peanut City	202 E McPherson Ave		Nashville	GA	31639
272	Pelfrey III, Boyd C	206 Hull Ave, Apt A		Nashville	GA	31639
273	Perfectly Maid	4518 Chappel Dr		Valdosta	GA	31603
274	Personal Finance Service	203 E McPherson Avenue		Nashville	GA	31639
275	Petroflex N A Ltd	501-B Hazel Ave		Nashville	GA	31639
276	Pit Stop	514 S Davis St		Nashville	GA	31639
277	Pizza Hut #2948	608 S Davis St		Nashville	GA	31639
278	Planters Tobacco Whse/USTC Inc	308 Watson St		Nashville	GA	31639
279	Pon's Take Out		P O Box 231	Nashville	GA	31639
280	PUD Security	1542 Aulie Gaskins		Ray City	GA	31645
281	Quality Cleaning Solutions	50 Dana Drive		Ray City	GA	31645
282	Quick Mart #1	224 Tifton Rd		Nashville	GA	31639
283	Quick Mart #2	708 Old Coffee Rd		Nashville	GA	31639
284	Quinn Construction Group, Inc	740 Adel Rd		Nashville	GA	31639
285	R A Enterprises	615 E Smith Ave		Nashville	GA	31639
286	Rana Corp DBA J Raj Liquors	301 Anderson Rd		Nashville	GA	31639
287	Rana Corp DBA J Raj Spirits	720 Adel Rd		Nashville	GA	31639
288	Rana Corp DBA The Lob Cabin	720-A Adel Rd		Nashville	GA	31639
289	Ray & Son HTG & Air Con., Inc	540 Hazel Ave		Nashville	GA	31639
290	Ray's Home & Lawn Maintenance	406 E Beetree Ave		Nashville	GA	31639
291	Redbox Automated Retail LLC	Suite 900		Oakbrook Terr	IL	60181
292	Regina's School of Dance	109 W Marion Ave		Nashville	GA	31639
293	Reliable Automotive	406 E Marion Ave		Nashville	GA	31639
294	Richard E. Wheeler, MD. LLC	416-A E McPherson Ave		Nashville	GA	31639
295	Rick Fennell Contracting	473 Henry Benefield		Nashville	GA	31639
296	Rite Aid	402 S Davis St		Nashville	GA	31639
297	RMS Plumbing	309 Anderson Rd		Nashville	GA	31639
298	Roberts Taste of the Farm	1750 E Marion Ave		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
299	Robinsons Insurance Agency	213 E McPherson Ave		Nashville	GA	31639
300	Rogers Lawn Care	5339 Hwy 37		Ray City	GA	31645
301	Ron's Hobby Shop	502 E Marion Avenue		Nashville	GA	31639
302	Ross Construction	1501 E McPherson Ave		Nashville	GA	31639
303	RVFJ Arts		P O Box 102	Nashville	GA	31639
304	Salon 200	200 Dogwood Dr		Nashville	GA	31639
305	Sapp Custom Cabinets	336 S Jefferson St		Nashville	GA	31639
306	Scentry Car Care	401 Middle School Circle		Nashville	GA	31639
307	Scott's Footwear	1602 Ross St		Nashville	GA	31639
308	Scott's Signs & Awnings	5119 Old Vald Rd		Nashville	GA	31639
309	Scrounge Around	9428 SR 76		Nashville	GA	31639
310	Secure Care, Inc.	427 E Dennis Ave		Nashville	GA	31639
311	Securitas Financial Services	106 S Jefferson St		Nashville	GA	31639
312	Sentinel Offender Services	107-D Dogwood Dr		Nashville	GA	31639
313	Shah & Patel Food Inc	730 E Marion Ave		Nashville	GA	31639
314	Shear Expression	1260 Hill Rd		Ray City	GA	31645
315	Side Street Dogs	903 Zimmerman Street		Nashville	GA	31639
316	Simply Delicious Catering	206 South Street		Nashville	GA	31639
317	Small World Education Center	103 E Hall Ave		Nashville	GA	31639
318	Smokey Day Heating, Air & Ref	3092 Old Milltown Rd		Nashville	GA	31639
319	South Ga Gold Buyers	520 N Peterson Ave		Nashville	GA	31639
320	South GA Off-Road, LLC	506 E McPherson Ave		Nashville	GA	31639
321	South GA PC Doctors Inc.	419 S Davis St		Nashville	GA	31639
322	Southern Body Works Inc.	321 Anderson Rd		Nashville	GA	31639
323	Southern Comfort	489 Oak Ridge Drive		Nashville	GA	31639
324	Southern Gold Buyers	606 E Dennis Ave		Nashville	GA	31639
325	Southern Sats	226 Bay Lane		Nashville	GA	31639
326	Southern Services	605 W Gary Ave		Nashville	GA	31639
327	Southern Traditions Rlty & Dev	203 W McPherson Ave		Nashville	GA	31639
328	Southern Trophy	202 S Jefferson St		Nashville	GA	31639
329	Southland Company	515 S Bartow St		Nashville	GA	31639
330	Special Times Unlimited	607 S Bartow St		Nashville	GA	31639
331	Specialty Converting & Supply	1114 E Marion Ave		Nashville	GA	31639
332	Specialty Flooring	949 McCorvey Rd		Nashville	GA	31639
333	Spectra Computing	605 E Smith Ave		Nashville	GA	31639
334	Spires A/C & Electric	12204 SR 125 N		Tifton	GA	31794
335	Anytime Fitness	105 E Washington Avenue		Nashville	GA	31639
336	Star Point Learning Center	507 Cedar Dr		Nashville	GA	31639
337	State Farm Insurance	1114 N Dogwood Drive		Nashville	GA	31639
338	Stephen W. Shiver, DMD, PC	410 E McPherson Ave		Nashville	GA	31639
339	Steve & Marty's Automotive	412 R E Caropm Ave		Nashville	GA	31639
340	Steve Bulington Handyman	1907 Dee Ave		Nashville	GA	31639
341	Stoney's Plumbing	2012 Old Ray City Rd		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
342	Stop & Shop	500 E McPherson Ave		Nashville	GA	31639
343	STS Trailer	401 S College Street		Nashville	GA	31639
344	Studio Magic Photography	409 Gaskins St		Nashville	GA	31639
345	Studstill Firm, LLP	110 N Dogwood Dr	P. O. Box 647	Nashville	GA	31639
346	Styles Unlimited	203 N Bartow St		Nashville	GA	31639
347	Subway Sandwiches	707 Adel Rd		Nashville	GA	31639
348	Sumner Landscaping & Lawn Svc	729 Zimmerman St		Nashville	GA	31639
349	Suncoast Tanning	802 Adel Rd		Nashville	GA	31639
350	Supershine Carwash	712 Adel Rd		Nashville	GA	31639
351	Sutton's Furniture	408 S Davis St	P. O. Box 825	Nashville	GA	31639
352	Swain's Barber Shop	202 W Marion Ave		Nashville	GA	31639
353	Sweet Magnolias			Nashville	GA	31639
354	T & C Air	6741 Hwy 168		Nashville	GA	31639
355	T & S	913 Thomas St		Nashville	GA	31639
356	Taylor Buy SLS Rental Junk	420 S Davis St		Nashville	GA	31639
357	Taylor's Feed & Garden	300 Anderson Rd		Nashville	GA	31639
358	TCO Testing Inc	607 Nix St		Nashville	GA	31639
359	Technology South	558 Teeterville Rd		Nashville	GA	31639
360	The Beauty Box	605 Carol Ave		Nashville	GA	31639
361	The Berrien Press	200 E McPherson Ave		Nashville	GA	31639
362	The Blue Swan	800 E Marion Ave		Nashville	GA	31639
363	The Brown Bag	106 N Davis St		Nashville	GA	31639
364	The Cottage Nursery & Gift Shop	920 N Davis St		Nashville	GA	31639
365	The Flower Shop	109 Melba St		Nashville	GA	31639
366	The Gaskins Co., Inc.	108 N Dogwood Dr		Nashville	GA	31639
367	The Grooming Parlor	710 Adel Rd		Nashville	GA	31639
368	The Landmark	100 E Marion Ave		Nashville	GA	31639
369	The Log Cabin	720-A Adel Rd		Nashville	GA	31639
370	The Nashville Trading Post	9428 SR 76		Nashville	GA	31639
371	The Perfect Pear	102 N Davis St		Nashville	GA	31639
372	The Pickett Fence	708 S Davis St		Nashville	GA	31639
373	The Retreat II	1207 E McPherson Ave		Nashville	GA	31639
374	The Retreat Inc	1207 E McPherson Ave		Nashville	GA	31639
375	The Spin Cycle	802 Adel Rd		Nashville	GA	31639
376	The Treasure & Antique Store	333 S Davis ST		Nashville	GA	31639
377	The Welding Shop	503-A Hazel Ave		Nashville	GA	31639
378	Thomas Heating & AC & Refrig	10 Birchwood Lane		Ray City	GA	31645
379	Those Guys	302 S Bell Street		Nashville	GA	31639
380	Tim-Mar Foods Inc DBA KFC	Suite B		Nashville	GA	31639
381	Timber Tree Service	601 N Mathis St		Nashville	GA	31639
382	Tommy Bradford Construction	2715 Old Valdosta Rd		Ray City	GA	31645
383	Tony Myers Stucco	566 Ebb Purvis Rd		Lenox	GA	31637
384	Total Family Health Care, LLC	418 E McPherson Ave		Nashville	GA	31639

	B	C	D	E	F	G
3	NAME	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP
385	Total Image Hair Salon	505 W Dennis Ave		Nashville	GA	31639
386	Travis's Barber Shop	202 W Marion Ave		Nashville	GA	31639
387	Trend's & Treasures	309 W McPherson Ave		Nashville	GA	31639
388	Triple H Specialty	208 Spells St	P. O. Box 818	Hazlehurst	GA	31539
389	Turn the Page	111 S Davis St		Nashville	GA	31639
390	Turner Tire Co	523 S Jefferson St		Nashville	GA	31639
391	U S Locators	214 S Jefferson St		Nashville	GA	31639
392	United Distributors	11225 St Johns Indus		Jacksonville	FL	32246
393	Valley Services, Inc. #4679	P. O. Box 5454		Jackson	MS	39208
394	Variety Stores, Inc.	305 E Marion Ave		Nashville	GA	31639
395	Verne's Tree Service	277 Barney Parker Rd		Nashville	GA	31639
396	Victory Retirement, Inc.	310 W Washington Ave		Nashville	GA	31639
397	Vivint	5148 North Wind Blvd		Nashville	GA	31639
398	W & G Repairs	1703 Mudd Creek Rd		Nashville	GA	31639
399	Wait-N-C Beauty Shop	313 S Norman St		Nashville	GA	31639
400	Watson, Ronnie	314 S Berrien St		Nashville	GA	31639
401	Watson's Pool Supplies, Inc.	210 N Davis St		Nashville	GA	31639
402	Watson's Pool & Patios Inc.	210 N Davis St		Nashville	GA	31639
403	Wayne's Tree Service	741 Indian Camp Road		Nashville	GA	31639
404	Wendell's Title Pawn, LLC	208 E McPherson Ave		Nashville	GA	31639
405	Whidden & Coward Insurance	203 W McPherson Ave		Nashville	GA	31639
406	Whidden Composit Works	503 Hazel Ave		Nashville	GA	31639
407	Whidden Home Furnishings	318 S Davis St		Nashville	GA	31639
408	William D Nash, MD PC	1225 E McPherson Ave		Nashville	GA	31639
409	Williams Home Renovation	658 Bennie Griner Rd		Nashville	GA	31639
410	Wiregrass Lawn Care	79 Reserved Dr		Nashville	GA	31639
411	Wm Waugh Turner	309 S Bartow St		Nashville	GA	31639
412	Work Finance Corp	416 S Davis St		Nashville	GA	31639
413	Xtra Lube	200 N Davis St		Nashville	GA	31639
414	Yard Work	3584 Hwy 168		Nashville	GA	31639
415	Zeigler Insurance Agency	102 S Jefferson St		Nashville	GA	31639
416	1st Franklin Financial Corp	708 Tifton Rd		Nashville	GA	31639




APPENDIX B

MAPS:

- **City of Nashville**
- **Census Blocks Map**
- **Existing Land Use Map**
- **Future Land Use Map**
- **Zoning Map**
- **Nashville Commercial Urban Redevelopment Area**

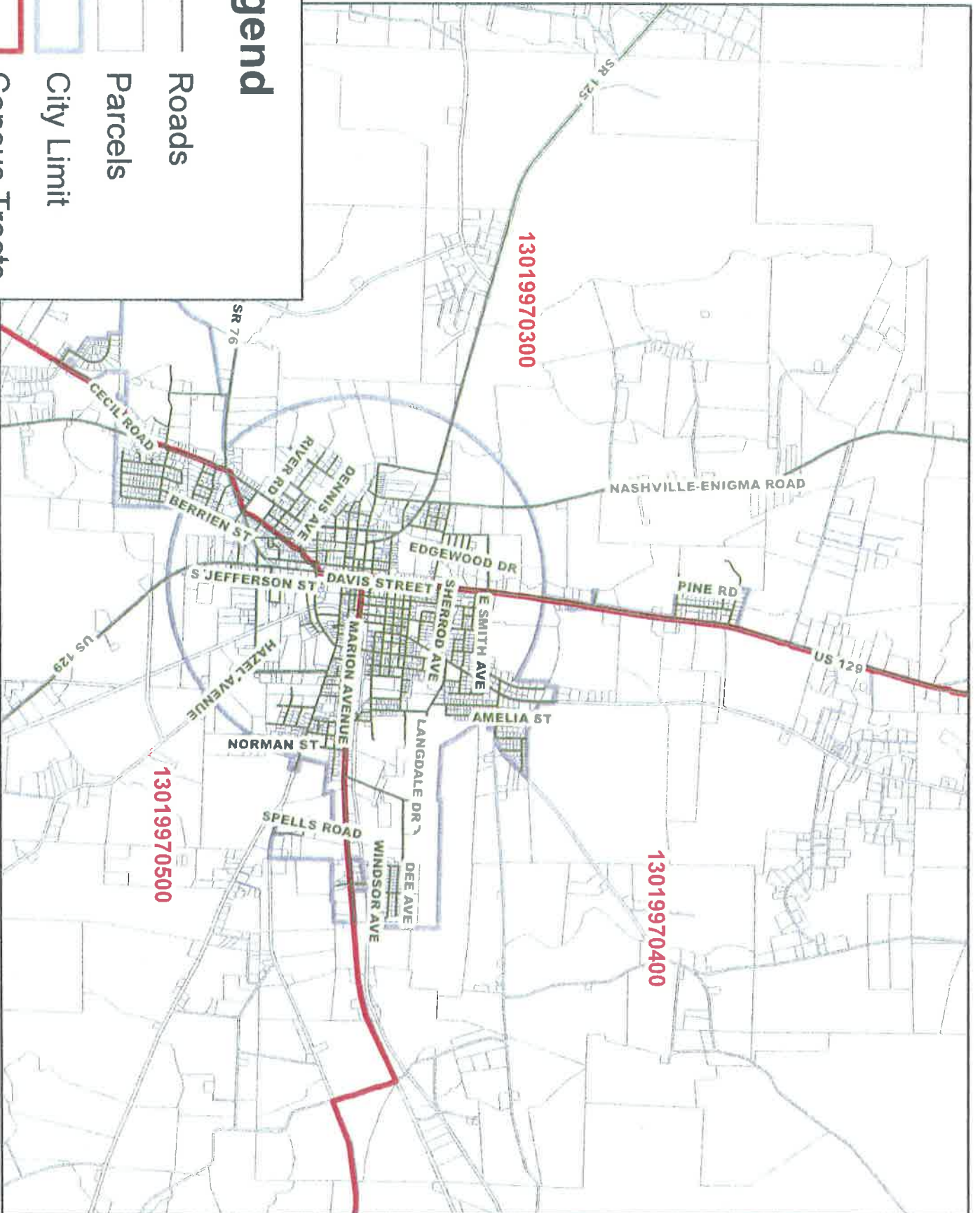
City of Nashville, Georgia

Legend

-  Roads
-  Parcels
-  City Limit



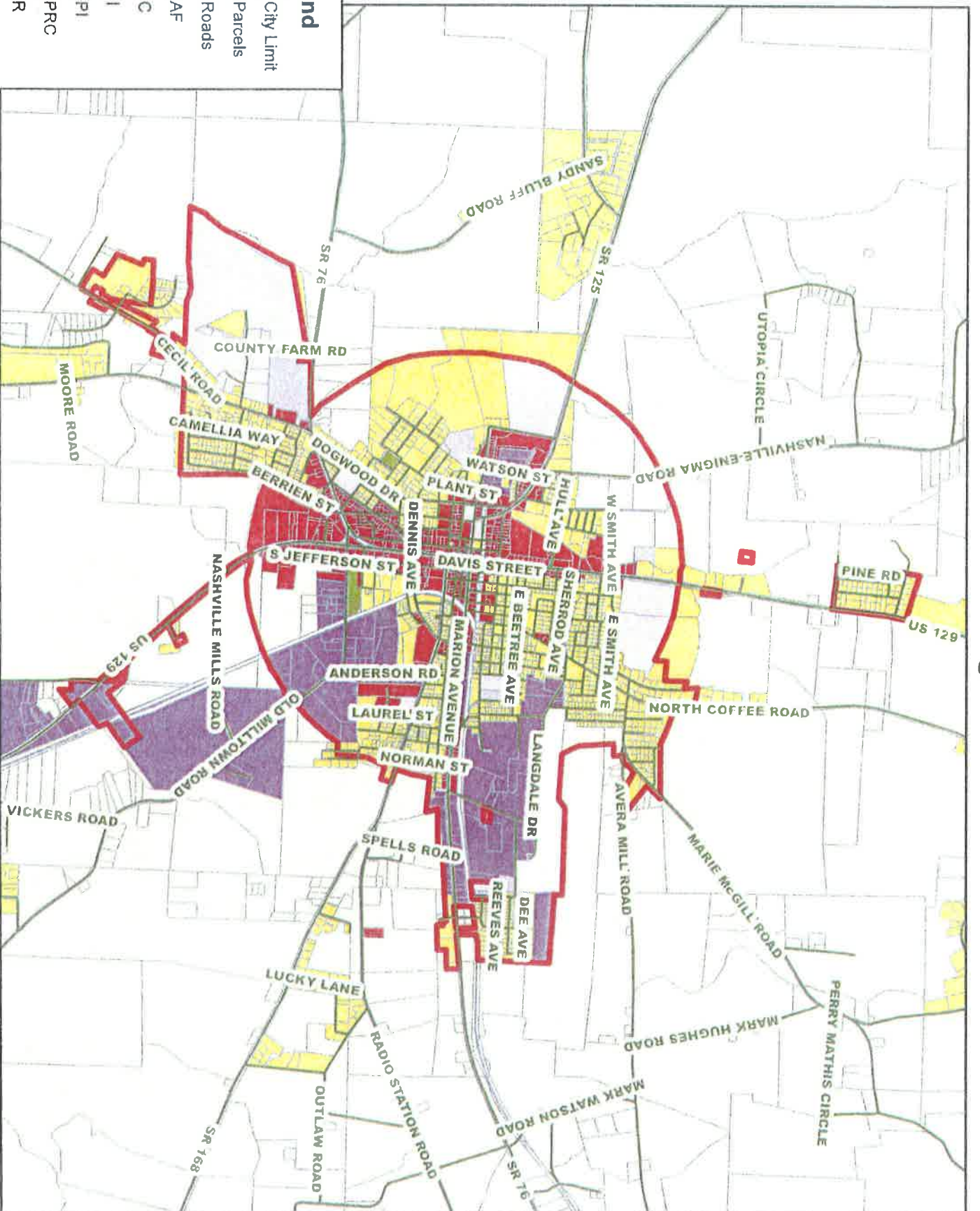
Nashville Census Tracts



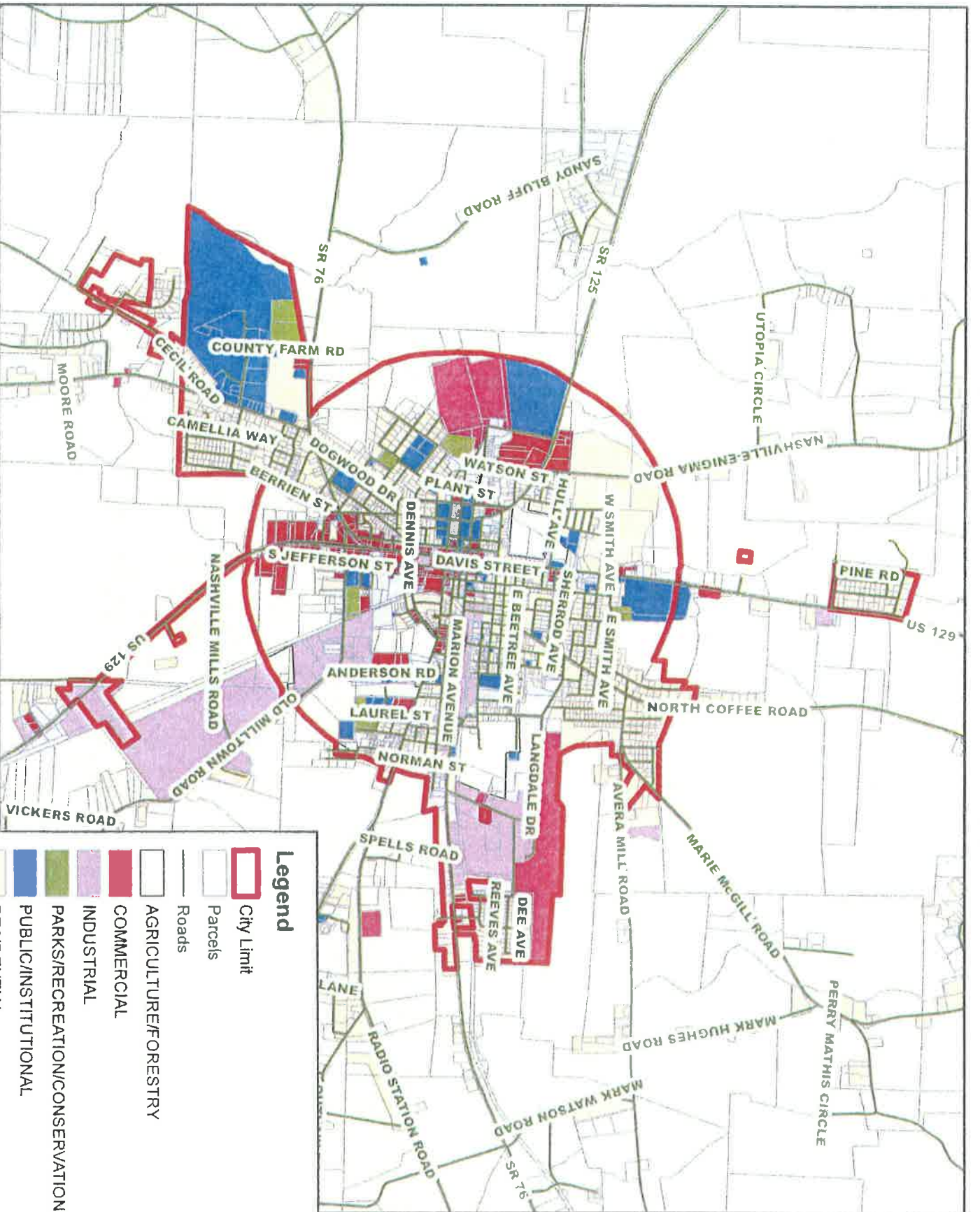
Nashville Existing Land Use

Legend

- City Limit
- Parcels
- Roads
- AF
- C
- I
- PI
- PRC
- R
- TCU
- UU



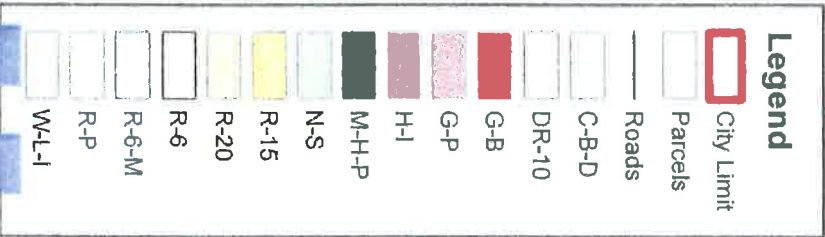
Nashville Future Land Use



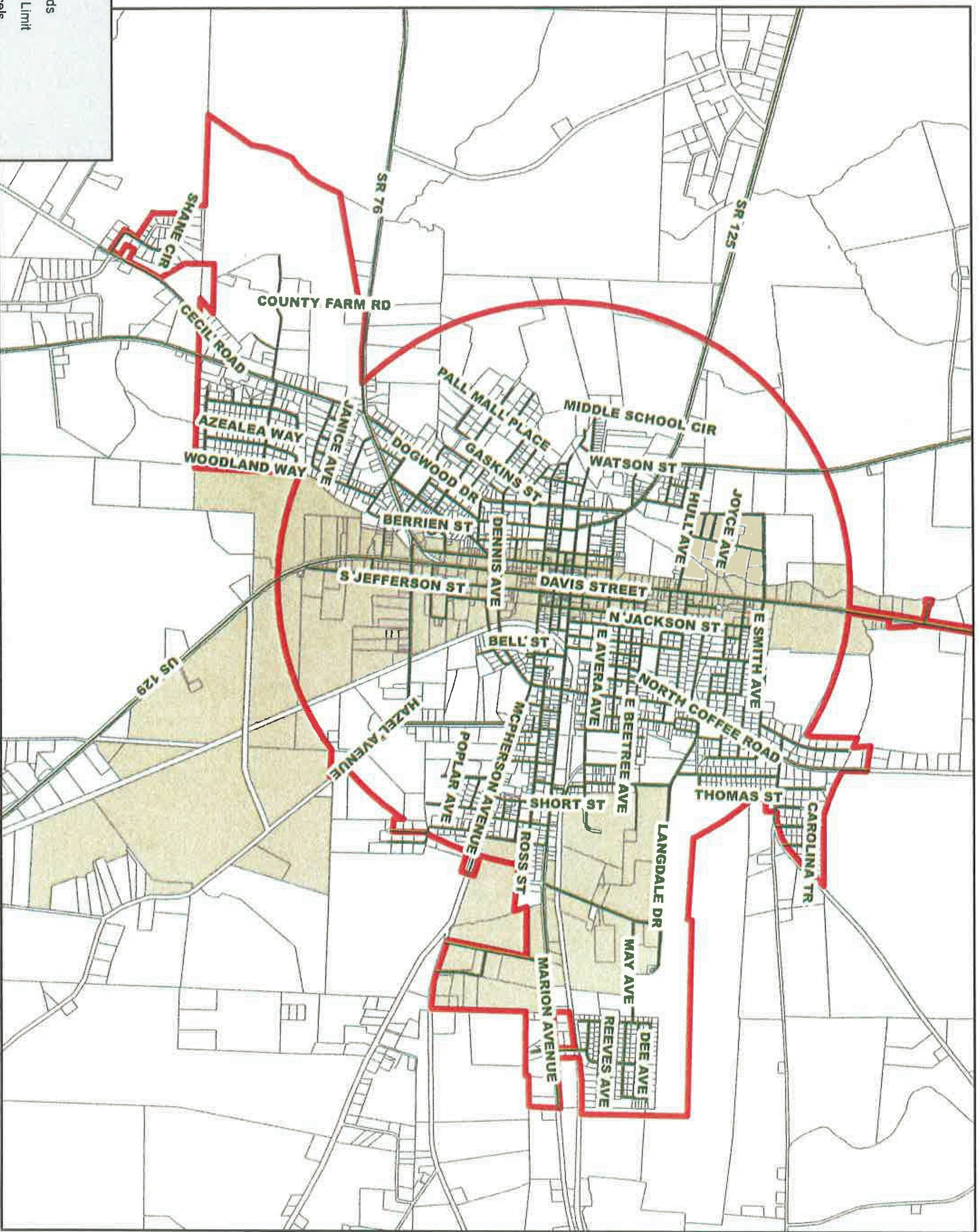
Legend

- City Limit
- Parcels
- Roads
- AGRICULTURE/FORESTRY
- COMMERCIAL
- INDUSTRIAL
- PARKS/RECREATION/CONSERVATION
- PUBLIC/INSTITUTIONAL
- RESIDENTIAL
- TRANSPORTATION/COMMUNICATIONS/UTILITIES





Nashville Urban Redevelopment Area



Legend

- Roads
- City Limit
- Parcels
- Urban Redevelopment Area



APPENDIX C

Sample Pictures



Old Dinner Bell East Marion Street

This is the old Dinner Bell Restaurant. It has been vacant for more than a year. The property is the only vacant building located on its block (100 – 204 East Marion). This photo does not reflect the sub-par conditions inside this building.



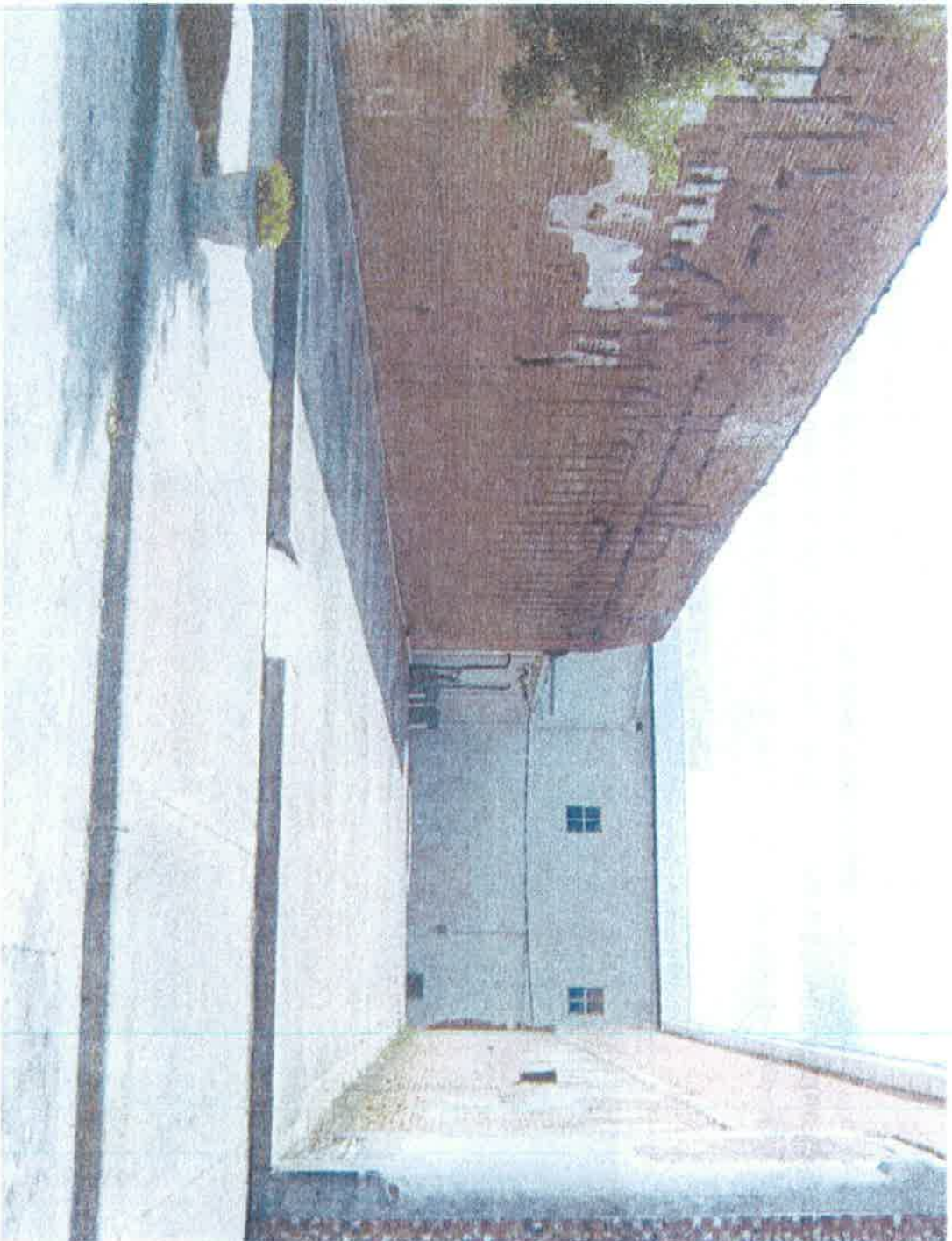
McLamb Building East Washington Street

The last business to occupy this building was a Buddy's Rent to Own more than 5 years ago. This property is located next door to a viable business, Anytime Fitness. This building has many structural issues internal and external. Several windows are missing and the building leaks.



Watson Trust Lot South Davis Street

This vacant lot is located just north of 402 South Davis Street. This lot has become very popular with people selling their wares like produce, yard sales, etc. This is a prime location for a retail outlet which would a line with the existing neighboring businesses.



Old Movie Theater Lot East Washington Street

This is a vacant lot nestled between viable properties in the heart of downtown Nashville. This vacancy disrupts the flow of the downtown landscape. This sight has also been the vandalized more than once with graffiti.



Old Abattoir South Davis Street

This property has been vacant and for sale for a number of years. This property sits directly in front of a major retailer (Alco). This property is located on our main commercial corridor.



Betty's
South Davis Street

This property has been a bait and tackle shop and a pool store. It now sits vacant and has been for several years. This property is located across the street from two high traffic businesses, Mike Burch Ford and Fred's.



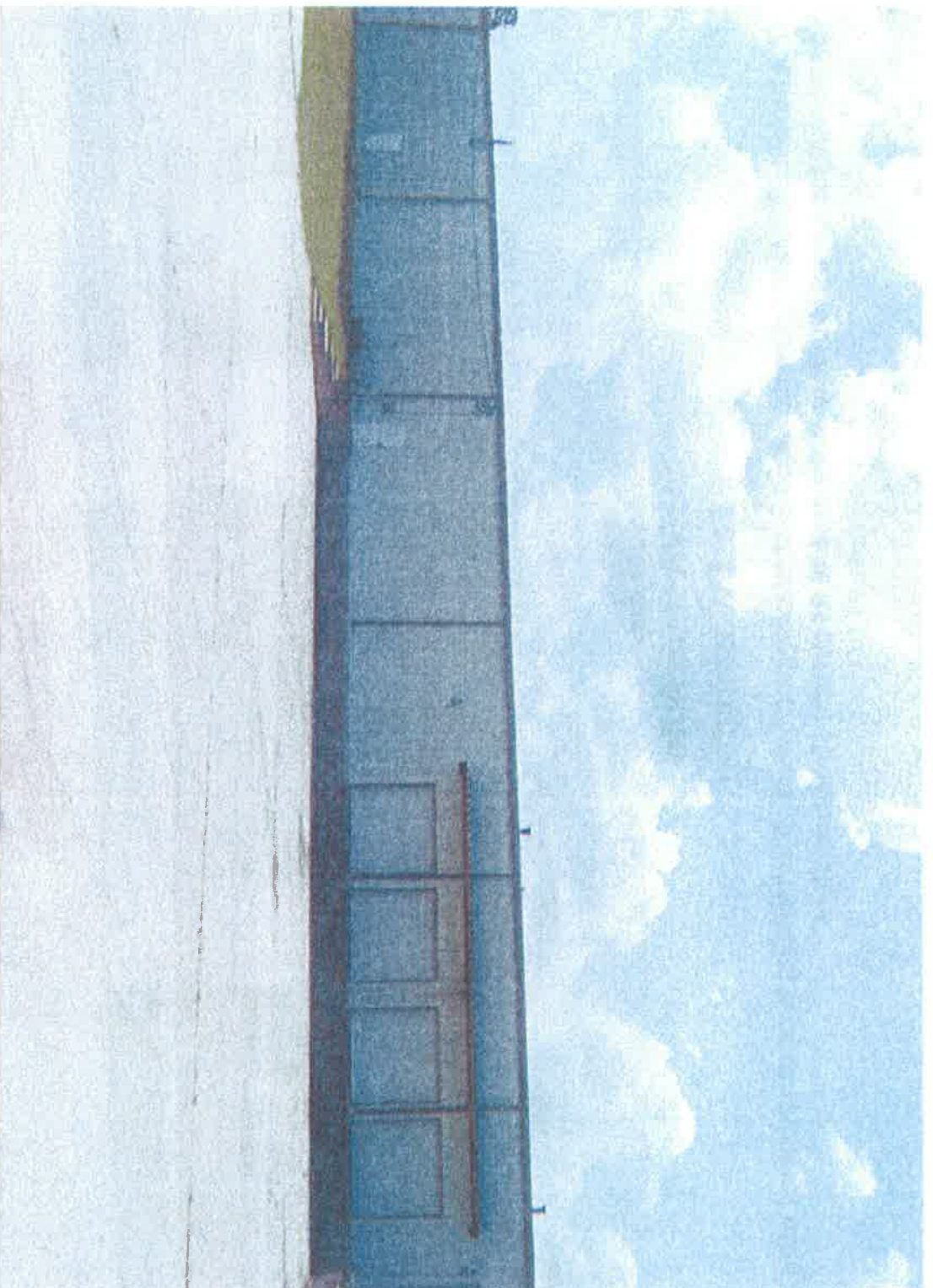
Old Nursing Home site North Davis Street

This is the site of the old Berrien County Nursing home. Obviously the home has been removed, but this lot has remained vacant. This property is located on the 129 Commercial Corridor and is prime retail or commercial real estate.



Parker's Pickles Radio Station Road

This is Parker's Pickles, which appears to be abandoned. This facility is located in one of our industrial parks and has not operated in a number of years. Abandoned equipment and supplies are also on this property.



County Warehouse Hazel Avenue

This is a 100,000 square foot warehouse that is now owned by the Industrial Authority. This 30 year old warehouse has been vacant for more than 5 years. It is in need of a minor repairs, but left unoccupied it lends itself to vandalism and further deterioration.



**Western Auto
East Washington**

This building is located downtown on East Washington Street. This building is currently being used for storage for a local furniture store despite its current structural state.

APPENDIX D

Enterprise Zone Ordinance

CITY OF NASHVILLE, GEORGIA ORDINANCE NO. _____

WHEREAS, the City of Nashville, Georgia, hereinafter referred to as the Council, desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises, service enterprises, and encourage residential rehabilitation and new residential construction located in a area meeting criteria established under and set forth in Title 36, Chapter 88 et. seq. and subsequently amended, known as the Enterprise Zone Act of 1997 for the State of Georgia as set forth in Georgia Statutes Annotated, hereinafter referred to as the Act, and to provide employment to residents of such area;

NOW, THEREFORE, THE COUNCIL OF NASHVILLE, GEORGIA HEREBY ORDAINS:

SECTION 1

In the geographic area known as The City of Nashville Proposed Enterprise Zone Area herein described in Exhibit A, a copy of which is attached hereto and hereby incorporated by reference, in compliance with OCGA 36-88-6 and is subsequently amended, the following findings of fact are made:

a. Underdevelopment

The housing assessment surveys identified 98 parcels that are currently vacant. In addition, of the City's total 413 business licenses issued in 2011, only 141 were issued for businesses within the URP, although the URP area (which constitutes 38.3% of the total city area) covers the majority (71%) of the commercial and industrial areas of the City. Furthermore, of the 343 commercial and industrial land use parcels within the URA, only the 141 business licenses have been issued.

b. Pervasive Poverty

Nashville suffers from pervasive poverty that is widespread throughout the nominated area and is evident and established by the following criteria;

In the three Census Block Groups nominated the poverty level exceeds 15% as reported by the U.S. Census of Population and Housing, 2010 Decennial Census prepared by the U.S. Census Bureau (2010).

Census Tracts included in the proposed Urban Redevelopment Area include:

9703 – 17.7% poverty
9704 – 21.6% poverty
9705 – 24.9% poverty

c. General Distress

Nashville suffers from general distress and adverse conditions as evident from the data collected in the City of Nashville Urban Redevelopment Plan dated November 2011. Indicators of distress and adverse conditions are outlined as follows:

- The building and land conditions surveyed contained within the Urban Redevelopment Plan indicates that over 175 buildings within the area are abandoned, dilapidated, and/or obsolete.
- Between 2008 and 2011, 904 (29.4%) of the total 3,080 total crimes occurring within the City happened within the urban redevelopment area. This is significant in view of the fact that the URP area is predominantly commercial and industrial in nature.

- The Urban Redevelopment Plan indicates that there is evidence of insufficient or non connecting street layout and deteriorated or insufficient infrastructure within the nominated area.

d. General Blight

Nashville suffers from general blight as evident by an inclusion of the entire area within the designated Urban Development Area as defined by paragraph (20) of Official Code of Georgia Annotated Section 36-61-2 for which an urban redevelopment plan will be adopted.

e. Unemployment

Unemployment rates range from 8.8% to 16.5% in the Block Groups that comprise the Urban Redevelopment Area. These are all well above the State of Georgia's unemployment rate of 8%.

Block Group # 130199703002 = 8.8% unemployment
 Block Group # 130199703003 = 13.8% unemployment
 Block Group # 130199704002 = 12.8% unemployment
 Block Group # 130199704003 = 11.3% unemployment
 Block Group # 130199705001 = 16.5% unemployment
 Block Group # 130199705002 = 10.9% unemployment

Furthermore, the city has experienced significant job losses, as the major employer within the area (Chaparral Boats) had to reduce its workforce from 1,100 to 368.

SECTION 2

Based upon the findings of fact set forth in Section 1 of this ordinance the Council finds The City of Nashville Proposed Enterprise Zone Area meets the qualifications of the Enterprise Zone Act.

SECTION 3

In order to alleviate the above conditions the Council hereby designates the areas as described in Exhibit A, attached hereto and incorporated by reference herein, as Enterprise Zones to be known as "Nashville Commercial Enterprise Zone".

SECTION 4

The Council shall be the authorized agency to act in all matters pertaining to the enterprise zones and reserves the power to grant the incentives listed below to qualifying businesses or qualifying service enterprises in accordance with the authorization granted local governments in the administration of the enterprise zone in the Enterprise Zone Employment Act.

SECTION 5

The Council shall exempt qualifying business enterprises that are engaged primarily in manufacturing, warehousing and distribution, processing, telecommunications, tourism, research and development industries, new residential construction and residential rehabilitation and qualifying service enterprises that are engaged primarily in finance insurance, and real estate activity or activities listed under the Standard Industrial Classification (SIC) Codes 60 through 67 according to the Federal Office of Management and Budget Standard Industrial Classification Manual from state and municipal ad valorem property taxes, excluding property taxes imposed by school districts, that would otherwise be levied on the qualifying business and service enterprises in accordance with the schedule as set forth in Official Code of Georgia Annotated Section 36-88-3 and meet the qualifying criteria outlined in Official Code of Georgia Annotated Section 36-88-4.

SECTION 6

The Council may grant other incentives, as provided by Official Code of Georgia Annotated Section 36-88-7 and 36-88-9 and as may be subsequently amended from time to time. Such incentives will be negotiated by the Council on a case-by-case basis and may include, but not be limited to, exemptions from any or all of the following:

- Occupation Taxes
- Building Permit Fees
- Sign Permit Fees
- Business License Administrative Fees
- Rezoning Fees
- Engineering Fees
- Other local fees authorized by the Council, as may be applicable

The Council may make determinations of eligibility for each business enterprise or service enterprise based on the quality and quantity of such additional economic stimulus as may be created within the City of Nashville. Criteria for consideration may include but not be limited to the following:

- The value of the business to the economic health and well being of Nashville and its citizens;
- Capital investment or reinvestment by the business equal to or greater than the amount of ad valorem tax abated over the first five years of the tax incentive;
- Locating in a vacant or historic building;
- Demolishing an obsolete, abandoned and/or deteriorating pre-existing structure;
- Enhancing the area by incorporating elements such as significant landscaping, area-compatible façade materials and exclusion of billboards on premises;
- Assembling multiple tracts of land for one project;
- Creating jobs above the state threshold; and
- Creating jobs for residents of the Enterprise Zone and surrounding area.

SECTION 7

The Council further directs and designates its City Manager as liaison for communication with the Georgia Department of Community Affairs; the Georgia Department of Economic Development; the business community; and all others to oversee enterprise zone activities and administration, and communication with qualified businesses, qualified service enterprises and qualifying residential developments as outlined in this ordinance.

SECTION 8

The Council has the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations adopted hereinafter by way of resolution including but not limited to reports and data information from businesses within the enterprise zone to verify compliance with this ordinance and state law.

SECTION 9

A qualifying business enterprise or service enterprise shall enter into a contractual agreement setting forth the incentives offered to such entity and including the guidelines for the recapture, revocation, or reimbursement of the incentives should the terms of the contract be violated by the target business.

SECTION 10

This ordinance shall take effect immediately upon adoption of the Urban Redevelopment Plan as commissioned by the Council.

Read and passed, this _____ day of _____, 2012.

CITY OF NASHVILLE

Stephen T. Harper, Mayor

Attest:

Tina Ward, City Clerk

CITY OF NASHVILLE, GEORGIA
ORDINANCE NO. 0-3-12

**AN ORDINANCE PROVIDING FOR, DEFINING, ESTABLISHING, DESCRIBING,
DESIGNATING AND ADOPTING THE CITY OF NASHVILLE
COMMERCIAL ENTERPRISE ZONE AREA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NASHVILLE, GEORGIA:

WHEREAS, the City of Nashville, Georgia, hereinafter referred to as the Council, desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises, service enterprises, and encourage commercial rehabilitation and new commercial construction located in an area meeting criteria established under and set forth in Title 36, Chapter 88 et. seq. and subsequently amended, known as the Enterprise Zone Act of 1997 for the State of Georgia as set forth in Georgia Statutes Annotated, hereinafter referred to as the Act, and to provide employment to residents of such area;

SECTION 1

In the geographic area known as The City of Nashville Proposed Enterprise Zone Area herein described in Exhibit A, a copy of which is attached hereto and hereby incorporated by reference, in compliance with O.C.G.A 36-88-6 and as subsequently amended, the following findings of fact are made:

a. Underdevelopment

The housing assessment surveys identified 98 parcels that are currently vacant. In addition, of the City's total 413 business licenses issued in 2011, only 141 were issued for businesses within the URP, although the URP area (which constitutes 38.3% of the total city area) covers the majority (71%) of the commercial and industrial areas of the City. Furthermore, of the 343 commercial and industrial land use parcels within the URA, only the 141 business licenses have been issued.

b. Pervasive Poverty

Nashville suffers from pervasive poverty that is widespread throughout the nominated area and is evident and established by the following criteria;

In the three Census Block Groups nominated the poverty level exceeds 15% as reported by the U.S. Census of Population and Housing, 2010 Decennial Census prepared by the U.S. Census Bureau (2010).

Census Tracts included in the proposed Urban Redevelopment Area include:

9703 – 17.7% poverty

9704 – 21.6% poverty

9705 – 24.9% poverty

c. General Distress

Nashville suffers from general distress and adverse conditions as evident from the data collected in the City of Nashville Urban Redevelopment Plan dated November 2011. Indicators of distress and adverse conditions are outlined as follows:

- The building and land conditions surveyed contained within the Urban Redevelopment Plan indicates that over 175 buildings within the area are abandoned, dilapidated, and/or obsolete.
- Between 2008 and 2011, 904 (29.4%) of the total 3,080 total crimes occurring within the City happened within the urban redevelopment area. This is significant in view of the fact that the URP area is predominantly commercial and industrial in nature.
- The Urban Redevelopment Plan indicates that there is evidence of insufficient or non-connecting street layout and deteriorated or insufficient infrastructure within the nominated area.

d. General Blight

Nashville suffers from general blight as evident by an inclusion of the entire area within the designated Urban Development Area as defined by paragraph (20) of Official Code of Georgia Annotated Section 36-61-2 for which an urban redevelopment plan will be adopted.

e. Unemployment

Unemployment rates range from 8.8% to 16.5% in the Block Groups that comprise the Urban Redevelopment Area. These are all well above the State of Georgia's unemployment rate of 8%.

Block Group # 130199703002 = 8.8% unemployment

Block Group # 130199703003 = 13.8% unemployment

Block Group # 130199704002 = 12.8% unemployment

Block Group # 130199704003 = 11.3% unemployment

Block Group # 130199705001 = 16.5% unemployment

Block Group # 130199705002 = 10.9% unemployment

Furthermore, the city has experienced significant job losses, as the major employer within the area (Chaparral Boats) had to reduce its workforce from 1,100 to 368.

SECTION 2

Based upon the findings of fact set forth in Section 1 of this ordinance the Council finds The City of Nashville Proposed Enterprise Zone Area meets the qualifications of the Enterprise Zone Act.

SECTION 3

In order to alleviate the above conditions the Council hereby designates the areas as described in Exhibit A, attached hereto and incorporated by reference herein, as Enterprise Zones to be known as "Nashville Commercial Enterprise Zone".

SECTION 4

The Council shall be the authorized agency to act in all matters pertaining to the enterprise zones and reserves the power to grant the incentives listed below to qualifying businesses or qualifying service enterprises in accordance with the authorization granted local governments in the administration of the enterprise zone in the Enterprise Zone Employment Act.

SECTION 5

The Council shall exempt qualifying business enterprises that are engaged primarily in manufacturing, warehousing and distribution, processing, telecommunications, tourism, research and development industries, new commercial construction and commercial rehabilitation and qualifying service enterprises that are engaged primarily in finance insurance, and real estate activity or activities listed under the Standard Industrial Classification (SIC) Codes 60 through 67 according to the Federal Office of Management and Budget Standard Industrial Classification Manual from state and municipal ad valorem property taxes, excluding property taxes imposed by school districts, that would otherwise be levied on the qualifying business and service enterprises in accordance with the schedule as set forth in Official Code of Georgia Annotated Section 36-88-3 and meet the qualifying criteria outlined in Official Code of Georgia Annotated Section 36-88-4.

SECTION 6

The Council may grant other incentives, as provided by Official Code of Georgia Annotated Section 36-88-7 and 36-88-9 and as may be subsequently amended from time to time. Such incentives will be negotiated by the Council on a case-by-case basis and may include, but not be limited to, exemptions from any or all of the following:

Occupation Taxes
Building Permit Fees

Sign Permit Fees
Business License Administrative Fees
Rezoning Fees
Engineering Fees
Other local fees authorized by the Council, as may be applicable

The Council may make determinations of eligibility for each business enterprise or service enterprise based on the quality and quantity of such additional economic stimulus as may be created within the City of Nashville. Criteria for consideration may include but not be limited to the following:

- The value of the business to the economic health and wellbeing of Nashville and its citizens;
- Capital investment or reinvestment by the business equal to or greater than the amount of ad valorem tax abated over the first five years of the tax incentive;
- Locating in a vacant or historic building;
- Demolishing an obsolete, abandoned and/or deteriorating pre-existing structure;
- Enhancing the area by incorporating elements such as significant landscaping, area-compatible façade materials and exclusion of billboards on premises;
- Assembling multiple tracts of land for one project;
- Creating jobs above the state threshold; and
- Creating jobs for residents of the Enterprise Zone and surrounding area.

SECTION 7

The Council further directs and designates its City Manager or the City Manager's designee as liaison for communication with the Georgia Department of Community Affairs; the Georgia Department of Economic Development; the business community; and all others to oversee enterprise zone activities and administration, and communication with qualified businesses, qualified service enterprises and qualifying commercial developments as outlined in this ordinance.

SECTION 8

The Council has the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations adopted hereinafter by way of resolution including but not limited to reports and data information from businesses within the enterprise zone to verify compliance with this ordinance and state law.

SECTION 9

A qualifying business enterprise or service enterprise shall enter into a contractual agreement setting forth the incentives offered to such entity and including the guidelines for the recapture, revocation, or reimbursement of the incentives should the terms of the contract be violated by the target business.

SECTION 10

This ordinance shall take effect immediately upon adoption of the Urban Redevelopment Plan as commissioned by the Council.

Read and passed, this 27 day of August, 2012.

THE CITY OF NASHVILLE



Mayor Stephen T. Harper



Councilman Scott Stalnaker




Councilman Michael Richbourg

Councilwoman Mellisa Watson




Councilman Antonio Carter



Councilman Eric Gaither



Councilman Billy Retterbush





Attest: 

City Clerk Tina Ward

Exhibit A: Enterprise Zone

Nashville Enterprise Zone

Legend

-  City Limit
-  Parcels
-  Roads
-  Enterprise Zone



APPENDIX E

Frequently Asked Questions

Frequently Asked Questions about Redevelopment

1. What is redevelopment all about?

Some 129 deteriorated and/or underdeveloped and approximately 47 vacant or unkempt lots have been identified within the Nashville Urban Redevelopment Area. These properties are a primary factor in the deterioration of our retail and commercial community, creating unsafe environments, depressed property values, under-utilized infrastructure, and visual blight. The goal of redevelopment is to replace or rehabilitate these structures and unkempt lots with usable retail, commercial, professional or industrial structures, thereby restoring the integrity of our city.

2. If a structure is posted unsafe, does that mean that it is condemned and must come down?

No. While posting is a preliminary step to condemnation, it only means the structure cannot be inhabited in its present condition.

3. Can a structure be rehabilitated for use once it has been posted condemned?

Yes. If, the property owner is willing to invest the money to bring the property up to minimum standards.

4. Can I remove the sign once I have completed work on the structure?

No. Only a City official can remove the sign, after they have determined that the structure meets minimum standards. A property owner removing the sign on his/her own property may be subject to a fine of \$100.00 per day until the sign is reinstated or the structure has been determined by a City official to meet minimum building standards.

5. If I clear the lot, is that sufficient to meet the requirements?

No. All posted properties within the Urban Redevelopment Area must be rehabilitated to provide retail, commercial, professional or industrial use as applicable.

6. If I don't rehabilitate the structure or rebuild, can the City take my property?

No. Your property will be condemned and the City will pay fair market value as established by an independent appraisal.

7. Will the City then build on the property?

No. The City will clear the lot and make it available to private developers who will be required to establish usable structures within a designated time.

8. Can family buy the property back?

Yes. Anyone may purchase the property if they are the high bidder, but they will be required to establish a usable structure on the property within a designated time.

9. What if no one bids on the property?

The property will be sold to the City of Nashville or other such entity that agrees to redevelop the property within a designated time.

10. Will I receive notification other than posting that my property is subject to redevelopment?

Yes. All property owners of record will be notified by certified mail of their rights and responsibilities and applicable time-frames under the Nashville Urban Redevelopment Plan.

11. Whose property is condemned first?

All property owners of record subject to redevelopment will be notified simultaneously after DATE NEEDED. Obviously, all cannot move forward through processing at once, though the time-frame for response will begin on notification. Properties will be acted on across the board as expeditiously as possible.

12. Are any unposted properties subject to redevelopment?

Yes. Any vacant, substandard structure or unkept, vacant lot within the designated area may become subject to inspection by the City.

APPENDIX F

Amendment Worksheet

City of Nashville Urban Redevelopment Plan

Amendment Worksheet

Date: _____

The following is a checklist of items to be considered by city officials when amending the Nashville Urban Redevelopment Plan. These items represent required plan components as defined in the Official Code of Georgia Annotated Section 36-61-4 and 36-61-7.

Statement that the Urban Redevelopment Plan is consistent with the City's comprehensive plan.

Clearly defined boundaries of the proposed Urban Redevelopment Area (need not be contiguous).

Explanation of negative conditions in the area necessitating redevelopment.

Description of the city's land use objectives for the area (types of uses, building requirements, zoning changes, development densities, etc.).

Description of land parcels to be acquired and structures to be demolished or rehabilitated.

Strategy for leveraging private resources to aid in redevelopment of the area.

Strategy for relocating any displaced residents.

Any covenants or restrictions to be placed on properties in the redevelopment area in order to implement the plan.

Public infrastructure to be provided (i.e. transportation, water, sewer, sidewalks, lighting, streetscapes, public recreational space, parking, etc.) to support redevelopment of the area.

Financial Strategy for implementing the plan.

APPENDIX G

Urban Redevelopment Law

GEORGIA CODE
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TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 61. URBAN REDEVELOPMENT

O.C.G.A. § 36-61-1 (2011)

§ 36-61-1. Short title

This chapter shall be known and may be cited as the "Urban Redevelopment Law."

§ 36-61-2. Definitions

As used in this chapter, the term:

(1) "Agency" or "urban redevelopment agency" means a public agency created by Code Section 36-61-18.

(2) "Area of operation" means the area within the corporate limits of the municipality or county and the area within five miles of such limits, except that it shall not include any area which lies within the territorial boundaries of another incorporated municipality or another county unless a resolution is adopted by the governing body of such other municipality or county declaring a need therefore.

(3) "Board" or "commission" means a board, commission, department, division, office, body, or other unit of the municipality or county.

(4) "Bonds" means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.

(5) "Clerk" means the clerk or other official of the municipality or county who is the custodian of the official records of such municipality or county.

(6) "County" means any county in this state.

(7) "Downtown development authority" means an authority created pursuant to Chapter 42 of this title.

(8) "Federal government" means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(9) "Housing authority" means a housing authority created by and established pursuant to Article 1 of Chapter 3 of Title 8, the "Housing Authorities Law."

(10) "Local governing body" means the council or other legislative body charged with governing the municipality and the board of commissioners or governing authority of the county.

(11) "Mayor" means the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.

(12) "Municipality" means any incorporated city or town in the state.

(13) "Obligee" includes any bondholder, agents, or trustees for any bondholders, or any lessor demising to the municipality or county property used in connection with an urban redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality or county.

(14) "Person" means any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(15) "Public body" means the state or any municipality, county, board, commission, authority, district, housing authority, urban redevelopment agency, or other subdivision or public body of the state.

(16) "Real property" includes all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, right, and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

(17) "Rehabilitation" or "conservation" may include the restoration and redevelopment of a slum area or portion thereof, in accordance with an urban redevelopment plan, by:

(A) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;

(B) Acquisition of real property and rehabilitation or demolition and removal of buildings and improvements thereon where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of slums or deterioration, or to provide land for needed public facilities;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter; and

(D) The disposition of any property acquired in such urban redevelopment area, including sale, initial leasing or retention by the municipality or county itself, at its fair value for uses in accordance with the urban redevelopment plan.

(18) "Slum area" means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. "Slum area" also means an area which by reason of the presence of a substantial number of slum, deteriorated, or deteriorating structures;

predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; by having development impaired by airport or transportation noise or by other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of a municipality or county, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

(19) "Slum clearance and redevelopment" may include:

(A) Acquisition of a slum area or portion thereof;

(B) Rehabilitation or demolition and removal of buildings and improvements;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and

(D) Making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the municipality or county itself) at its fair value for uses in accordance with the urban redevelopment plan.

(20) "Urban redevelopment area" means a slum area which the local governing body designates as appropriate for an urban redevelopment project.

(21) "Urban redevelopment plan" means a plan, as it exists from time to time, for an urban redevelopment project, which plan shall:

(A) Conform to the general plan for the municipality or county as a whole; and

(B) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban redevelopment area; zoning and planning changes, if any; land uses; maximum densities; building requirements; and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(22) "Urban redevelopment project" may include undertakings or activities of a municipality or county in an urban redevelopment area for the elimination and for the prevention of the development or spread of slums and may involve slum clearance and redevelopment in an urban redevelopment area, rehabilitation or conservation in an urban redevelopment area, or any combination or part thereof, in accordance with an urban redevelopment plan. Although the power of eminent domain may not be exercised for such purposes, such undertakings or activities may include:

(A) Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting of lands and highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing and related

facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income; and

(B) Construction of foundations and platforms necessary for the provision of air rights sites of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income or construction of foundations necessary for the provision of air rights sites for development of nonresidential facilities.

§ 36-61-3. Legislative findings and declaration of necessity

(a) It is found and declared that there exist in municipalities and counties of this state slum areas, as defined in paragraph (18) of Code Section 36-61-2, which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of this state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities and counties, retards the provision of housing accommodations, aggravates traffic problems, and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums is a matter of state policy and state concern, in order that the state and its municipalities and counties shall not continue to be endangered by areas which are local centers of disease, promote juvenile delinquency, and, while contributing little to the tax income of the state and its municipalities and counties, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(b) It is further found and declared that certain slum areas or portions thereof may require acquisition, clearance, and disposition, subject to use restrictions, as provided in this chapter, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that the other areas or portions thereof, through the means provided in this chapter, may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in subsection (a) of this Code section may be eliminated, remedied, or prevented and that, to the extent that is feasible, salvable slum areas should be conserved and rehabilitated through voluntary action and the regulatory process.

(c) It is further found and declared that the powers conferred by this chapter are for public uses and purposes for which public money may be expended and the power of eminent domain may be exercised. The necessity, in the public interest, for the provisions enacted in this chapter is declared as a matter of legislative determination.

§ 36-61-3.1. "Public use" defined; eminent domain to be exercised solely for public use

(a) As used in this Code section, the term "public use" shall have the meaning specified in Code Section 22-1-1.

(b) Any exercise of the power of eminent domain under this chapter must:

(1) Be for a public use; and

(2) Be approved by resolution of the governing body of the municipality or county in conformity with the procedures specified in Code Section 22-1-10.

§ 36-61-4. Encouragement of private enterprise

A municipality or county, to the greatest extent it determines to be feasible in carrying out the provisions of this chapter, shall afford maximum opportunity, consistent with the sound needs of the municipality or county as a whole, to the rehabilitation or redevelopment of the urban redevelopment area by private enterprise. A municipality or county shall give consideration to this objective in exercising its powers under this chapter, including: the formulation of a workable program; the approval of urban redevelopment plans consistent with the general plan for the municipality or county; the adoption and enforcement of ordinances as provided for in Code Section 36-61-11; the exercise of its zoning powers; the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements; the disposition of any property acquired; and the provision of necessary public improvements.

§ 36-61-5. Resolution of necessity prerequisite to exercise of powers

No municipality or county shall exercise any of the powers conferred upon municipalities and counties by this chapter until after its local governing body has adopted a resolution finding that:

- (1) One or more slum areas exist in such municipality or county; and
- (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the municipality or county.

§ 36-61-6. Formulation of workable program

For the purposes of this chapter, a municipality or county may formulate a workable program for utilizing appropriate private and public resources including those specified in Code Section 36-61-11, to eliminate and prevent the development or spread of slums, to encourage needed urban rehabilitation, to provide for the redevelopment of slum areas, or to undertake such of the aforesaid activities or such other feasible municipal or county activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of slums into areas of the municipality or county which are free from slums, through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of slum areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements, encouraging voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum areas or portions thereof.

§ 36-61-7. Preparation of redevelopment plan; approval; modification; effect of approval

(a) A municipality or county shall not approve an urban redevelopment plan for an urban redevelopment area unless the governing body, by resolution, has determined such area to be a slum area and designated such area as appropriate for an urban redevelopment project. Authority is vested in every municipality and county to prepare, to adopt, and to revise, from time to time, a general plan for the physical development of the municipality or county as a

whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related municipal and county planning activities, and to make available and to appropriate the necessary funds therefor. A municipality or county shall not acquire real property for an urban redevelopment project unless the local governing body has approved the urban redevelopment plan in accordance with subsection (d) of this Code section.

(b) The municipality or county may itself prepare or cause to be prepared an urban redevelopment plan; alternatively, any person or agency, public or private, may submit a plan to a municipality or county.

(c) The local governing body of the municipality or county shall hold or shall cause some agency of the municipality or county to hold a public hearing on an urban redevelopment plan or a substantial modification of an approved urban redevelopment plan, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality or county. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban redevelopment area covered by the plan, and shall outline the general scope of the urban redevelopment project under consideration.

(d) Following such hearing, the local governing body may approve an urban redevelopment plan if it finds that:

(1) A feasible method exists for the relocation of families who will be displaced from the urban redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

(2) The urban redevelopment plan conforms to the general plan of the municipality or county as a whole; and

(3) The urban redevelopment plan will afford maximum opportunity, consistent with the sound needs of the municipality or county as a whole, for the rehabilitation or redevelopment of the urban redevelopment area by private enterprise.

(e) An urban redevelopment plan may be modified at any time, provided that, if modified after the lease or sale by the municipality or county of real property in the urban redevelopment project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his successor or successors in interest may be entitled to assert. Any proposed modification which will substantially change the urban redevelopment plan as previously approved by the local governing body shall be subject to the requirements of this Code section, including the requirement of a public hearing, before it may be approved.

(f) Upon the approval of an urban redevelopment plan by a municipality or county, the provisions of the plan with respect to the future use and building requirements applicable to the property covered by the plan shall be controlling with respect thereto.

§ 36-61-8: Powers of municipalities and counties generally

Every municipality and every county shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others granted in this chapter:

(1) To undertake and carry out urban redevelopment projects within its area of operation; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter; and to disseminate slum clearance and urban redevelopment information;

(2) To provide, to arrange, or to contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with an urban redevelopment project and to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements, provided that neither the municipality or county itself nor an urban redevelopment agency or housing authority or downtown development authority acting pursuant to an election under Code Section 36-61-17 shall provide, install, or construct any public utility of the same kind or character as an existing utility operating in the municipality or county if such existing utility is providing reasonably adequate and proper service, as determined by the Public Service Commission; and to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or to compliance with labor standards in the undertaking or carrying out of an urban redevelopment project, and to include, in any contract let in connection with such a project, provisions to fulfill such conditions as it may deem reasonable and appropriate;

(3) Within its area of operation, to enter upon any building or property in any urban redevelopment area in order to make surveys, appraisals, soundings, or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire, by purchase, lease, option, gift, grant, bequest, devise, or otherwise, any real property (or personal property for its administrative purposes) together with any improvements thereon; to hold, improve, clear, or prepare for redevelopment any such property; to mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property; to insure or provide for the insurance of any real or personal property or operations of the municipality or county against any risks or hazards, and to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this chapter; provided, however, that no statutory provision with respect to the acquisition, clearance, or disposition of property by public bodies shall restrict a municipality or county or other public body exercising powers under this chapter in the exercise of such functions with respect to an urban redevelopment project, unless the General Assembly shall specifically so state;

(4) To invest any urban redevelopment project funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; and to redeem such bonds as have been issued pursuant to Code Section 36-61-12 at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled;

(5) To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, county, or other public body, or from any sources, public or private, for the purposes of this chapter, and to give such security as may be required and to enter into and carry out contracts in connection therewith. A municipality or county may include in any contract for financial assistance with the federal government for an urban redevelopment project such conditions imposed pursuant to federal

law as the municipality or county may deem reasonable and appropriate and which are not inconsistent with the purposes of this chapter;

(6) Within their area of operation, to make or have made all plans necessary to the carrying out of the purposes of this chapter and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify, and amend such plans. Such plans may include, without limitation:

(A) A general plan for the locality as a whole;

(B) Urban redevelopment plans;

(C) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements, to include but not to be limited to making loans and grants from funds received from the federal government, as well as from funds received from the repayment of such loans and interest thereon, to persons, public or private, owning private housing for the purpose of financing the rehabilitation of such housing;

(D) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and

(E) Appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban redevelopment projects.

The municipality or county is authorized to develop, test, and report methods and techniques and to carry out demonstrations and other activities for the prevention and elimination of slums and to apply for, accept, and utilize grants of funds from the federal government for such purposes;

(7) To prepare plans and provide reasonable assistance for the relocation of families displaced from an urban redevelopment area, to the extent essential for acquiring possession of and clearing such area or parts thereof to permit the carrying out of the urban redevelopment project;

(8) To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this chapter and to levy taxes and assessments for such purposes; to close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places; to plan or replan, zone, or rezone any part of the municipality or county or make exceptions from building regulations; and to enter into agreements, under Code Section 36-61-17, with a housing authority, a downtown development authority, or an urban redevelopment agency vested with urban redevelopment project powers, which agreements may extend for up to 50 years respecting action to be taken by such municipality or county pursuant to any of the powers granted by this chapter. The reasonable costs of removing, relocating, and rearranging public utility facilities within urban renewal areas may constitute a cost of carrying out the purposes of this chapter, and every municipality and county may, in their discretion, pay such reasonable costs or any portion thereof;

(9) Within their areas of operation, to organize, coordinate, and direct the administration of the

provisions of this chapter as they apply to such municipality or county, in order that the objective of remedying slums and preventing the causes thereof within the municipality or county may be most effectively promoted and achieved, and to establish such new office or offices of the municipality or county or to reorganize existing offices in order to carry out such purpose most effectively.

(10) To exercise all or any part or combination of powers granted in this Code section.

§ 36-61-9. Power of eminent domain; conditions; title acquired

(a) Except as otherwise provided in subsection (c) of this Code section, a municipality or county shall have the right to acquire, by exercise of the power of eminent domain, any real property which it may deem necessary for its purposes under this chapter, after the adoption by it of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. A municipality or county may exercise the power of eminent domain in the manner provided in Title 22; or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provisions for the exercise of the power of eminent domain. Property already devoted to a public use may be acquired, provided that no real property belonging to the municipality, the county, the state, or any political subdivision thereof may be acquired without its consent.

(b) Whenever condemnation proceedings are instituted and carried on by a municipality or county in accordance with subsection (a) of this Code section or through any other method of condemnation provided by law, upon the payment by the municipality or county seeking condemnation of the amount of the award and final judgment on appeal the municipality or county shall become vested with a fee simple indefeasible title to the property to which the condemnation proceedings relate. Such payment may be offset in whole or in part by the amount of any municipal or county tax liens on the condemned property and by any existing special assessments tax liens on the condemned property, including without limitation education or special district taxes collected by the municipality or county; provided, however, that any such setoff shall be subject to any existing tax liens having higher priority pursuant to Code Section 48-2-56 and to the interest in the condemned property of any known beneficiary of a year's support pursuant to former Code Section 53-5-2 as such existed on December 31, 1997, if applicable, or Code Sections 53-3-1, 53-3-2, 53-3-4, 53-3-5, and 53-3-7; provided, further, that where the condemned property is subject to a valid deed to secure debt, such setoff shall only be allowed for tax liens which arose as a result of an assessment against such property. It is declared to be necessary, to enable such municipalities and counties to exercise their powers under this Code section, that upon the condemnation proceedings being had, the municipalities and counties shall become vested with fee simple indefeasible title to the property involved in the proceedings.

(c) Unless the property is to be acquired for the purpose of devoting it to a public use, a municipality or county may not acquire real property through the exercise of the power of eminent domain pursuant to subsection (a) of this Code section until the following conditions and requirements have been met:

(1) The municipality or county which adopted the urban redevelopment plan has approved a resolution authorizing the exercise of the power of eminent domain by the agency to acquire the property;

(2) The municipality or county shall, in writing, notify the owner of the real property proposed

to be acquired of the planned rehabilitation of the property as set forth in the urban redevelopment plan for the urban redevelopment area wherein the property is located;

(3) Within 30 days after being so notified, the owner of the property shall have the option of notifying the municipality or county, in writing, of his willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan. In the event of multiple ownership of the property, unanimous agreement by the owners shall be required; and the failure of any one owner to notify the municipality or county, within the time limitation specified in this paragraph, of his willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan shall be deemed to be a failure to exercise the option provided in this paragraph; and

(4) The owner of the property may execute an agreement with the municipality or county to rehabilitate the property in accordance with the urban redevelopment plan. Any such agreement shall be as the municipality or county deems necessary and appropriate as to form and content; in connection therewith, the municipality or county shall have the right to require sufficient performance, payment, and completion bonds. In the event that any such owner, at any time, fails to comply with or defaults in the performance of the provisions of the agreement, such property shall no longer be subject to the agreement, the option provided by paragraph (3) of this subsection shall no longer apply, and the property may be acquired by the municipality or county by purchase or through the exercise of the power of eminent domain. In the alternative, the municipality or county may either specifically enforce the agreement, exercise any rights under any bonds which may have been required, and obtain any other legal or equitable relief as may be available to the municipality or county or, if the owner fails to exercise the option to rehabilitate the property or defaults on the agreement to rehabilitate the property, the municipality or county may implement those portions of the urban development plan with respect to such property to the extent the municipality or county deems necessary and the costs of implementing such plan shall be a lien against the property enforceable in the same manner as tax liens.

§ 36-61-10. Disposal of property in redevelopment area generally; notice and bidding procedures; exchange with veterans' organization; temporary operation of property

(a) A municipality or county may sell, lease, or otherwise transfer real property in an urban redevelopment area or any interest therein acquired by it and may enter into contracts with respect thereto, for residential, recreational, commercial, industrial, or other uses or for public use; or the municipality or county may retain such property or interest for public use, in accordance with the urban redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land and including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, as it may deem to be in the public interest or necessary or desirable to assist in preventing the development or spread of future slums or to otherwise carry out the purposes of this chapter. Such sale, lease, other transfer, or retention and any agreement relating thereto may be made only after the approval of the urban redevelopment plan by the local governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban redevelopment plan and may be obligated to comply with such other requirements as the municipality or county may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on the real property required by the urban redevelopment plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in

accordance with the urban redevelopment plan. In determining the fair value of real property for uses in accordance with the urban redevelopment plan, a municipality or county shall take into account and give consideration to the uses provided in such plan; the restrictions upon and the covenants, conditions, and obligations assumed by the purchaser or lessee or by the municipality or county retaining the property; and the objectives of such plan for the prevention of the recurrence of slum areas. The municipality or county in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property without the prior written consent of the municipality or county until he has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired by a municipality or county which, in accordance with the provisions of the urban redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban redevelopment plan. The inclusion in any such contract or conveyance to a purchaser or lessee of any such covenants, restrictions, or conditions, including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, shall not prevent the filing of the contract or conveyance in the land records of the county in such manner as to afford actual or constructive notice thereof.

(b) (1) A municipality or county may dispose of real property in an urban redevelopment area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as are provided in this subsection. A municipality or county, by public notice by publication once each week for two consecutive weeks in a newspaper having a general circulation in the community, prior to the execution of any contract to sell, lease, or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under this Code section, may invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban redevelopment area or any part thereof. The notice shall identify the area or portion thereof and shall state that such further information as is available may be obtained at such office as shall be designated in the notice. The municipality or county shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the municipality or county in the urban redevelopment area. The municipality or county may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this chapter. The municipality or county may execute contracts in accordance with subsection (a) of this Code section and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contracts.

(2) Notwithstanding the provisions or requirements of this Code section, any municipality or county may exchange real property or land, whether vacant or improved, in any urban redevelopment area for real property or land, whether vacant or improved, owned by any post, barracks, encampment, chapter, subsidiary, or any other division or unit of any veterans' organization chartered by the United States Congress, provided such real property or land was owned by the veterans' organization on March 6, 1962, and, provided, further, that the municipality or county owning such urban redevelopment area desires to obtain the real property or land owned by the veterans' organization for civic improvements, including, but not limited to, the building of art theaters, stadiums, parks, playgrounds, auditoriums, civic theaters, and performing arts theaters.

(c) A municipality or county may temporarily operate and maintain real property acquired in an urban redevelopment area, pending the disposition of the property for redevelopment, without regard to subsection (a) of this Code section, for such uses and purposes as may be deemed desirable, even if such uses and purposes are not in conformity with the urban redevelopment plan.

§ 36-61-11. Repair, closing, and demolition of dwellings unfit for human habitation

Any municipality or county may, by ordinance, require the repair, closing, or demolition of dwellings or other structures intended for human habitation which are, as defined in the ordinance, unfit for human habitation or which may imperil the health, safety, or morals of the occupants thereof or of surrounding areas. Such ordinances may include the following:

(1) Definition of the construction, condition, facilities, ventilation, and other conditions which shall render such structures unfit for human habitation or a nuisance;

(2) Designation of a public official or officials with authority to enforce such ordinances and establishment of procedures therefor;

(3) Provision for the enforcement of such ordinances by the municipal court of the municipality, as defined in Code Section 41-2-5, which may include provision for the abatement thereof as nuisances, as provided in such Code section; and

(4) Provision for the posting of notices on dwellings and other structures intended for human habitation, indicating the actions taken by enforcement officials or the court with respect thereto, and the fixing of penalties for the defacing, destruction, or removal of such notices; provided, however, that no such notice shall be posted on any property then designated by proper governmental authority for acquisition by eminent domain.

§ 36-61-12. Issuance of bonds; payment; tax exemption; form; terms; sale; signatures; negotiability; effect of recitation on bonds

(a) A municipality or county shall have power to issue bonds, in its discretion, from time to time, to finance the undertaking of any urban redevelopment project under this chapter, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans for urban redevelopment projects and shall also have power to issue refunding bonds for the payment of retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality or county derived from or held in connection with its undertaking and carrying out of urban redevelopment projects under this chapter; provided, however, that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source, in aid of any urban redevelopment projects of the municipality or county under this chapter, and by a mortgage of any such urban redevelopment projects or any part thereof, title to which is in the municipality or county.

(b) Bonds issued under this Code section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under this chapter are declared to be issued for an essential public and

governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this Code section shall be authorized by resolution or ordinance of the local governing body. They may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics as may be provided by the resolution of the local governing body or by the trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sales in a newspaper having a general circulation in the area of operation and in such other medium of publication as the municipality or county may determine or may be exchanged for other bonds on the basis of par. Such bonds may be sold to the federal government or to an institution insured by an agency of the federal government at private sale at not less than par and, in the event that less than all of the authorized principal amount of such bonds is sold to the federal government or to an institution insured by an agency of the federal government, the balance may be sold at private sale at not less than par at an interest cost to the municipality or county, such cost not to exceed the interest cost to the municipality or county of the portion of the bonds sold to the federal government or to an institution insured by an agency of the federal government.

(e) If any of the public officials of the municipality or county whose signatures appear on any bonds or coupons issued under this chapter cease to be such officials before the delivery of the bonds, such signatures, nevertheless, shall be valid and sufficient for all purposes, the same as if the officials had remained in office until the delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this chapter shall be fully negotiable.

(f) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this chapter or the security therefor, any such bond reciting in substance that it has been issued by the municipality or county in connection with an urban redevelopment project, as defined in paragraph (22) of Code Section 36-61-2, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with this chapter.

(g) Any urban redevelopment agency or housing authority which a municipality or county has elected to exercise powers under Code Section 36-61-17 may also issue bonds, as provided in this Code section, in the same manner as a municipality or county, except that such bonds shall be authorized and the terms and conditions thereof shall be prescribed by the commissioners of such urban redevelopment agency or housing authority in lieu of the local governing body.

§ 36-61-13. Bonds declared legal investments

All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to

them or within their control in any bonds or other obligations issued by a municipality or county pursuant to this chapter or by any urban redevelopment agency or housing authority vested with urban redevelopment project powers under Code Section 36-61-17, provided that such bonds and other obligations shall be secured by an agreement between the issuer and the federal government, in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of the bonds or other obligations, moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on the bonds or other obligations) will suffice to pay the principal of the bonds or other obligations with interest to maturity thereon, which moneys under the terms of the agreement are required to be used for the purpose of paying the principal of and the interest on the bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this Code section to authorize any persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this Code section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

§ 36-61-14. Exemption of property from execution, levy, and sale; tax exemption

(a) All property of a municipality or county, including funds owned or held by it for the purposes of this chapter, shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same, nor shall judgment against a municipality or county be a charge or lien upon such property; provided, however, that this Code section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this chapter by a municipality or county on its rents, fees, grants, or revenues from urban redevelopment projects.

(b) The property of a municipality or county, acquired or held for the purpose of this chapter, is declared to be public property used for essential public and governmental purposes and such property shall be exempt from all taxes of the municipality, the county, the state, or any political subdivision thereof. Such tax exemption shall terminate when the municipality or county sells, leases, or otherwise disposes of property in an urban redevelopment area to a purchaser or lessee who or which is not a public body.

§ 36-61-15. Presumption as to title of purchaser of property from municipality or county

Any instrument executed by a municipality or county and purporting to convey any right, title, or interest in any property under this chapter shall be conclusively presumed to have been executed in compliance with this chapter insofar as title or other interest of any bona fide purchasers, lessees, or transferees of such property is concerned.

§ 36-61-16. Assistance by public bodies generally; powers of public bodies; powers of municipalities and counties

(a) For the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project located within the area in which it is authorized to act, any public body, upon such terms, with or without consideration, as it may determine, may:

- (1) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to a municipality or county;

(2) Incur the entire expense of any public improvements made by such public body in exercising the powers granted in this Code section;

(3) Do any and all things necessary to aid or cooperate in the planning or carrying out of an urban redevelopment plan;

(4) Lend, grant, or contribute funds to a municipality or county;

(5) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with a municipality or county or other public body respecting action to be taken pursuant to any of the powers granted by this chapter, including the furnishing of funds or other assistance in connection with an urban redevelopment project; and

(6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, education, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan, replan, zone, or rezone any part of the public body or make exceptions from building regulations; and cause administrative and other services to be furnished to the municipality or county.

If at any time title to or possession of any urban redevelopment project is held by any public body or governmental agency, other than the municipality or county, which is authorized by law to engage in the undertaking, carrying out, or administration of urban redevelopment projects, including any agency or instrumentality of the United States of America, the provisions of the agreements referred to in this subsection shall inure to the benefit of and may be enforced by such public body or governmental agency. As used in this subsection, the terms "municipality" and "county" shall also include an urban redevelopment agency or a housing authority vested with all of the urban redevelopment project powers pursuant to Code Section 36-61-17.

(b) Any sale, conveyance, lease, or agreement provided for in this Code section may be made by a public body without appraisal, public notice, advertisement, or public bidding.

(c) For the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project of an urban redevelopment agency or a housing authority under this chapter, a municipality or county may, in addition to their other powers and upon such terms, with or without consideration, as they may determine, do and perform any or all of the actions or things which, by subsection (a) of this Code section, a public body is authorized to do or perform, including the furnishing of financial and other assistance.

(d) For the purposes of this Code section or for the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project of a municipality or county, such municipality or county may, in addition to any authority to issue bonds pursuant to Code Section 36-61-12, issue and sell its general obligation bonds. Any bonds issued by a municipality or county pursuant to this Code section shall be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by such municipality and county for public purposes generally.

§ 36-61-17. Exercise of redevelopment powers by municipalities and counties; delegation to redevelopment agency or housing authority

(a) A municipality or county may itself exercise its "urban redevelopment project powers," as defined in subsection (b) of this Code section, or may, if the local governing body by resolution determines such action to be in the public interest, elect to have such powers exercised by the urban redevelopment agency created by Code Section 36-61-18 or by a housing authority, if one exists or is subsequently established in the community, or by an existing or subsequently established downtown development authority. In the event that the local governing body makes such determination, the urban redevelopment agency or the housing authority or downtown development authority, as the case may be, shall be vested with all of the "urban redevelopment project powers" of the municipality or county conferred in this chapter, in the same manner as though all such powers were conferred on the agency or authority instead of the municipality or county; and any public body may cooperate with the urban redevelopment agency or housing authority or the downtown development authority to the same extent that it could cooperate with the municipality or county itself if the municipality or county were exercising its urban redevelopment project powers. If the local governing body does not elect to make such determination, the municipality or county in its discretion may exercise its urban redevelopment project powers through a board or commissioner or through such officers of the municipality or county as the local governing body may by resolution determine.

(b) As used in this Code section, the term "urban redevelopment project powers" shall include all of the rights, powers, functions, duties, privileges, immunities, and exemptions granted to a municipality or county under this chapter, except the following:

- (1) The power to determine an area to be a slum area and to designate such area as appropriate for an urban redevelopment project;
- (2) The power to approve and amend urban redevelopment plans;
- (3) The power to establish a general plan for the locality as a whole;
- (4) The power to formulate a workable program under Code Section 36-61-6;
- (5) The powers, duties, and functions referred to in Code Section 36-61-11;
- (6) The power to make the determinations and findings provided for in Code Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;
- (7) The power to issue general obligation bonds; and
- (8) The power to appropriate funds, to levy taxes and assessments, and to exercise other powers provided for in paragraph (8) of Code Section 36-61-8.

§ 36-61-18. Creation of agency; appointment of board of commissioners; compensation, term, and certificate; annual report; removal of commissioners

(a) There is created in each municipality and in each county a public body corporate and politic to be known as the "urban redevelopment agency" of the municipality or county. Such agency shall not transact any business or exercise its powers under this Code section until or unless the local governing body has made the finding prescribed in Code Section 36-61-5 and has elected to

have the urban redevelopment project powers exercised by an urban redevelopment agency as provided in Code Section 36-61-17.

(b) If the urban redevelopment agency is authorized to transact business and exercise powers under this Code section, the mayor, by and with the advice and consent of the local governing body, or the board of commissioners or other governing body of the county shall appoint a board of commissioners of the urban redevelopment agency, which shall consist of such number of commissioners, with such terms of office, as shall be determined by the local governing body. If the governing body of a municipality designates members of a downtown development authority as an urban redevelopment agency, the method of appointment, number of commissioners, and terms of office shall be in conformity with the requirements of Code Section 36-42-4.

(c) A commissioner shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality or county and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.

(d) The powers of an urban redevelopment agency shall be exercised by the commissioners thereof. A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Any person may be appointed as commissioner if he resides within the area of operation of the agency, which shall be coterminous with the area of operation of the municipality or county, and is otherwise eligible for such appointments under this chapter.

(e) The mayor or the board of commissioners or other governing body of the county shall designate a chairman and vice-chairman from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it may require and may determine their qualifications, duties, and compensation. For such legal service as it may require, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this chapter shall file with the local governing body, on or before March 31 of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expense as of the end of such calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the municipality or county and that the report is available for inspection during business hours in the office of the city or county clerk and in the office of the agency.

(f) For inefficiency, neglect of duty, or misconduct in office, a commissioner may be removed, but only after a hearing. He shall be given a copy of the charges at least ten days prior to such hearing and shall have an opportunity to be heard in person or by counsel.

§ 36-61-19. Interest by public official or employee or employee of redevelopment agency in redevelopment project or property; disclosure; eligibility of commissioners and officers of housing authorities for other office

(a) No public official or employee of a municipality or county or of a board or commission thereof and no commissioner or employee of a housing authority or urban redevelopment agency which has been vested by a municipality or county with urban redevelopment project powers under Code Section 36-61-17 shall voluntarily acquire any interest, direct or indirect, in any urban redevelopment project of such municipality or county or in any property included or planned to be included in any such urban redevelopment project or in any contract or proposed contract in connection with such urban redevelopment project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body and such disclosure shall be entered upon the minutes of the governing body. If any such official, commissioner, or employee presently owns or controls, or owned or controlled within the preceding two years, any interest, direct or indirect, in any property which he knows is included or planned to be included in an urban redevelopment project, he shall immediately disclose this in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body; any such official, commissioner, or employee shall not participate in any action by the municipality or county or a board or commission thereof, the housing authority, or the urban redevelopment agency affecting such property. Any disclosure required to be made by this Code section to the local governing body shall concurrently be made to a housing authority or urban redevelopment agency which has been vested with urban redevelopment project powers by the municipality or county pursuant to Code Section 36-61-17.

(b) Directors of a downtown development authority designated as an urban redevelopment agency pursuant to this chapter and other public officers of the municipality or county may serve as commissioners of the urban redevelopment agency, provided that such persons comply with the provisions of subsection (a) of this Code section.

(c) Any violation of this Code section shall constitute misconduct in office.

APPENDIX H

General Redevelopment Documents

- H.1 Condemnation Checklist**
- H.2 Abatement/Redevelopment Worksheet for Targeted Properties**
- H.3 Target Property Notification Letter**
- H.4 Contract to Redevelop**
- H.5 Contract for Payment Bond**
- H.6 Contract for Performance Bond**

H.1 CONDEMNATION CHECKLIST

1. File petition in the Superior Court for the condemnation of the property under O.C.G.A. 22-2-100.
2. At the time of filing the petition, obtain from Court the appointment of a local attorney to serve as Special Master not less than 10 nor more than 15 days after the date of service of the petition and order for hearing upon the property owner(s), and direct all those having any interest therein to appear and present any lawful objections they may have. (O.C.G.A. 22-2-105)
3. Have the Court schedule a hearing to be conducted by the Special Master not less than 10 nor more than 15 days after the date of service of the petition and order for hearing upon the property owner(s), and direct all those having any interest therein to appear and present any lawful objections they may have.
4. Have all persons who may have any interest in the property, including any person in possession thereof, to be served with a copy of the petition and order for hearing.
 - a. Residents of Georgia must be served personally.
 - b. Non-residents must be served by (1) posting a copy of the petition and order on the bulletin board at the courthouse door, at least five days before the date of the hearing; (2) Publication of a notice in the newspaper not less than four nor more than seven days prior to the date of the hearing, and (3) where the address of such nonresident is known, mailing by registered or certified mail a copy of the petition and order to the nonresident at such address.
 - c. If any owner is a minor, or insane, or otherwise laboring under any disability, the guardian, if any, of such person shall be personally served (if within the State of Georgia) with a copy of the petition and order.
 - d. If a nonresident, the guardian is to be served by posting, publication, and if possible, by mailing as nonresidents are served.
 - e. If the minor, insane person or person laboring under other disability has no guardian or personal representative, the such party is to be served as competent parties are served, and by serving the Judge of the Probate Court who shall stand in the place and protect the rights of such person or appoint a guardian ad litem for such person.
 - f. In the event there are unknown persons or unborn remaindermen who are likely to have rights in the property or the proceeds thereof, the Judge of the Probate Court shall be served with a copy of the petition and order and shall stand in the place and protect the rights of such unknown persons and unborn remaindermen.
5. The Special Master must make an award and file the same with the Clerk of Court within three days after the date of the hearing. (O.C.G.A. 22-2-110(a))

6. The Judge of the Superior Court thereafter enters a judgment incorporating the award of the special master and condemns the property in remainder to the use of the City, upon the City's paying into the registry of the Court the amount of the award. (O.C.G.A. 22-2-110(b))
7. Title to the property vests in the City immediately upon the City's deposit with the Clerk of Court of the amount of the award, regardless of whether the property owner thereafter appeals the amount of the award to a jury trial in the Superior Court. (O.C.G.A. 22-2-110(b))

**H.2 ABATEMENT/REDEVELOPMENT WORKSHEET
FOR TARGETED PROPERTY**

City of Nashville, Georgia

(Attach Photo)

Address: _____

Location: _____

Action required: _____

Owner: _____

Address: _____

Description: _____

Chronology: Date Action

H.3 TARGET PROPERTY NOTIFICATION LETTER

[To be typed on official City of Nashville letterhead]

[DATE]

[NAME]

[ADDRESS]

Re: [TARGET PROPERTY ADDRESS]

Dear [NAME]:

The above referenced property is a target property under the City of Nashville's Commercial Urban Redevelopment Plan (adopted by resolution on XXXXX, 2012). The purpose of this plan is to reestablish our City's commercial core as viable once again. Your property has been targeted due to its inability to meet a minimum structural standard and/or other detrimental aspects of the property due to its current blighted condition. Under the terms of the Georgia State enabling law (36-44; 22-2), the City is empowered to condemn your property, pay you as determined equitable by the court-appointed special master, and then take title to the property in order to clear it and make it available for the reestablishment of housing.

If you wish to maintain ownership of the property, you must do the following within thirty (30) days beginning with the date of receipt of this letter (and in the case of multiple ownership of the property, all of the owners must comply with the following):

1. Indicate your willingness and intention to rehabilitate and maintain the property in accordance with the urban redevelopment plan; and
2. Execute a written agreement obligating you to take such action and requiring you to furnish adequate payment, performance and completion bonds.

If you wish to sell the property to the City as is, we will contract an independent appraisal of the property and pay you the appraised value.

If we do not hear from you in 30 days and condemnation becomes our last option, you will be notified of the proceedings and all of your rights relative to the process under Georgia State Law. In this event, the City will seek to:

1. Acquire title to this property through condemnation; and
2. Rehabilitate this property by:
 - (a) demolishing all existing structures thereon;
 - (b) clearing all building rubble, junk and debris from property; and
 - (c) reselling the property to a purchaser who will agree to develop and maintain the property in accordance with the urban redevelopment plan.

If you have any questions, please contact us at (229) 316-3425.

Sincerely,

Chairman, City of Nashville Urban Redevelopment Authority

H.4 AGREEMENT IN LIEU OF CITY'S REHABILITATION OF PROPERTY

WHEREAS, _____ ("Owner") is
the owner of certain real property having the street address of _____
_____ and being more particularly described as _____

_____ ("Property"); and

WHEREAS, The City of Nashville, Georgia ("City"), has in its designation of a Commercial Urban Redevelopment Area under OCGA 36-61-5, included the Property as a parcel to be acquired, rehabilitated and disposed of; and

WHEREAS, the City has notified the Owner of the planned rehabilitation of the Property in accordance with the City's Commercial Urban Redevelopment Plan and has further notified the Owner of his right, under certain conditions, to rehabilitate and maintain the Property in accordance with the Urban Redevelopment Plan, and the Owner has in a timely manner indicated his willingness to do so;

NOW, THEREFORE, the parties hereto, for and in consideration of the mutual promises and recitals herein contained, do hereby agree as follows:

1. The City agrees that it presently forbear from instituting condemnation proceedings with respect to the property.
2. The Owner agrees to promptly undertake and pursue to its completion the following described work on, upon and to the Property:

(a) _____

(b) _____

(c) _____

(d) _____

3. The Owner shall complete all of the above described work on the Property on or before the ____ day of _____, 20____, time being of the essence of this agreement.
4. The Owner shall/shall not [circle one] be required to furnish a performance bond in the amount of \$ _____, and a payment bond in the amount of \$ _____, in connection with this agreement, using the forms for such bonds attached hereto.
5. In the event the Owner fails to perform the Owner's obligations as set forth above in a timely manner, then, in addition to any other legal or equitable remedy that may be available, the City shall be entitled to proceed with the acquisition of the Property through the power of eminent domain, or specifically enforce this agreement and the rights of the City under the bonds, if any, and/or proceed with the implementation of the redevelopment plan with respect to the Property and enforce the collection of the costs thereof as a lien against the Property in the same manner as tax liens are enforced.
6. The contract documents consist of this agreement, drawings, specifications and addenda issued subsequent to this Agreement. The contract documents are as fully a part of this agreement as if attached hereto or repeated herein. This contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral.
7. The agreement may be amended or modified only by a modification in writing signed by all the parties.
8. The Owner shall secure and pay for the building permit and for all other permits and governmental fees, licenses and inspections necessary for the proper execution and completion of the work which are legally required at the time of the performance of the work involved (unless waived through request of the City within the designated Enterprise Zone).
9. The Owner shall give all notices and comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the performance of the work.
10. To the fullest extent permitted by law, the Owner shall indemnify and hold harmless the City and its agents from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the performance of the work, caused in whole or in part by any negligent act or omission of the Owner, any contractor or subcontractor of the Owner, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder.

11. If there is more than one Owner named in this instrument, the obligations of the Owners shall be joint and several, and all references to Owner in the singular person in this instrument shall be understood to include all the heirs, administrators, executors, successors and assigns of Owner.
12. Whenever required by the context of this instrument the singular number shall include the plural and the masculine gender shall include the feminine and the neuter.

IN WITNESS WHEREOF, the parties have hereunto caused this agreement to be signed and sealed, this _____ day of _____, 20____.

_____[SEAL]

_____[SEAL]

Owner(s)

The City of Nashville, Georgia

[SEAL OF CITY]

By: _____

Title: _____

Attest: _____

Clerk of the City of Nashville

H.5 CONTRACT FOR PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____, as Principal (hereinafter referred to as the "Owner," and _____, as Surety, are hereby held and firmly bound unto the City of Nashville, Georgia (hereinafter referred to as the "City") in the sum of _____ Dollars (\$ _____), for the payment of which sum well and truly to be made, we bind ourselves and our successors, assigns, heirs, and personal representatives, jointly and severally, by these presents.

WHEREAS, the Owner has entered into a certain agreement dated the _____ day of _____, _____ (hereinafter referred to as the "Agreement"), for _____, which Agreement and all specifications contained or referred to therein are by reference made a part hereof,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Owner and all subcontractors to whom any portion of the work provided for in the Agreement is sublet and all assignees of the Owner and of such subcontractors shall promptly make payment to all persons supplying the Owner or any such subcontractor with labor, products, services or supplies for or in the prosecution of the work provided for in the Agreement or in any amendment or extension of or addition to the Agreement, and for the payment of reasonable costs and attorneys fees, incurred by the claimants in suits on this bond, the above obligation shall be null and void; otherwise it shall remain in full force and effect.

HOWEVER, THIS BOND IS SUBJECT TO THE FOLLOWING CONDITIONS AND LIMITATIONS:

- (a) Any person, firm, or corporation that has furnished labor, products, or supplies for or in the prosecution of the work provided for in the Agreement shall have a direct right of action against the Owner and Surety on this bond, which right of action provided for in the Agreement is to be performed or in any country in which the Owner or Surety does business. Such right of action shall be asserted in proceedings instituted in the name of the claimant or claimants for his or their use and benefit against the Owner and Surety or either of them (but not later than one year after the final settlement of the Agreement) in such action such claim or claims shall be adjudicated and judgment rendered thereon.
- (b) The Owner and Surety hereby designate and appoint _____ as the agent of either of them to receive and accept service of process or other pleading issued or filed in any proceeding instituted on this bond and hereby consent that such service shall be the same as personal service on the Owner and/or Surety, as the case may be.

- (c) In no event shall the Surety be liable for a greater sum than the penalty of this bond, or subject to any suit, action or proceeding thereon that is instituted after than one year after the final settlement of the Agreement.

IN WITNESS WHEREOF, the Owner and Surety have each caused this agreement to be signed and sealed by (where applicable) their duly authorized officers or agents, on this the _____ day of _____, _____.

_____[SEAL]

_____[SEAL]
Owner(s)

_____[SEAL]
Surety

H.6 CONTRACT FOR PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____, as Principal (hereinafter referred to as the "Owner," are firmly bound and held unto the City of Nashville, Georgia (hereinafter referred to as the "City"), for the benefit of those entitled thereto, in the sum of _____ Dollars (\$ _____), for the payment of which sum well and truly to be made, in lawful money of the United States, we do hereby bind ourselves and our successors, assigns, heirs, and personal representatives.

BUT THE CONDITION OF THE FOREGOING OBLIGATION IS THIS:

WHEREAS, the City has entered into a contract with the Owner for the rehabilitation of certain property more particularly described as follows:

_____, as more fully appears in a written agreement bearing the date of _____ (hereinafter referred to as the "Agreement"), a copy of which is by reference made a part hereof.

NOW, THEREFORE, if the Owner shall fully and faithfully perform all the undertakings and obligations under the Agreement and shall fully indemnify and save harmless the City from all costs and damage whatsoever that the City may suffer by reason of any failure on the part of the Owner to do so, and shall fully reimburse and repay the City any and all outlay, cost and expense which the City may incur in making good any such default, then this obligation of bond shall be null and void; otherwise, it shall remain in full force and effect.

And for value received it is hereby stipulated and agreed that no charge, extension of time, alteration or addition to the terms of the Agreement or in the work to be performed thereunder, or the specifications accompanying the same shall in any wise affect the obligations under this the terms of the Agreement or to the work to be done thereunder or the specifications incorporated therein.

IN WITNESS WHEREOF, the Owner and Surety have each caused this instrument to be signed and sealed by (where applicable) their duly authorized officers or agents, on this the _____ day of _____, _____.

_____[SEAL]

_____[SEAL]
Owner(s)

_____[SEAL]
Surety

RESOLUTION No. R1-12

A RESOLUTION TO CREATE AN URBAN REDEVELOPMENT AGENCY FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE NASHVILLE RESIDENTIAL URBAN REDEVELOPMENT PLAN; AND TO PROVIDE BY-LAWS FOR THE URBAN REDEVELOPMENT AGENCY.

WHEREAS, cities and counties in Georgia are authorized under the Urban Redevelopment Law (O.C.G.A. 36-61-1 and 36-61-8) to establish urban redevelopment agencies and undertake urban redevelopment projects, subject to the various requirements of said statute, so long as the City Council has adopted a resolution declaring that one or more slum conditions exist and the rehabilitation or redevelopment is necessary to protect the public health, safety and public welfare of the city; and

WHEREAS, a Residential Urban Redevelopment Plan for the City of Nashville was prepared according to the Georgia Urban Redevelopment Act (O.C.G.A. 36-61-1) and adopted by a resolution of the City Council; and

WHEREAS, The City Council hereby declares a need for an agency to administer and implement urban redevelopment activities associated with the *Nashville Residential Urban Redevelopment Plan*;

BE IT THEREFORE RESOLVED, by Council of the City of Nashville, Georgia, that the Nashville Redevelopment Authority is hereby created and adopted.

BE IT FURTHER RESOLVED, by Council of the City of Nashville, Georgia, that the designation of the Nashville Urban Redevelopment Authority requires by-laws for its membership and administration; therefore, the Council will prepare urban redevelopment agency by-laws in accordance with Official Code of Georgia Annotated Section 36-61-18.

SO RESOLVED this 9 day of January, 2012.

THE CITY OF NASHVILLE



Mayor Stephen T. Harper



Alderman Scott Stalnaker



Alderman Michael Richbourg



Alderman Billy Retterbush




Alderman Antonio Carter



Alderman Eric Gaither



Alderman Dick Perryman

Attest:


City Clerk Tina Ward

**CITY OF NASHVILLE, BERRIEN COUNTY, GEORGIA
RESOLUTION NO. R2-12**

**RESOLUTION TO ADOPT
NASHVILLE RESIDENTIAL URBAN REDEVELOPMENT PLAN**

WHEREAS, the South Georgia Regional Development Center has completed the *Nashville Residential Urban Redevelopment Plan* at the request of the City Council of Nashville, Berrien County, Georgia; and


WHEREAS, the *Nashville Residential Urban Redevelopment Plan* was prepared according to the Georgia Urban Redevelopment Act (O.C.G.A. 36-61-1);

BE IT THEREFORE RESOLVED, that the City Council of Nashville, Berrien County, Georgia, does hereby adopt the *Nashville Residential Urban Redevelopment Plan*.

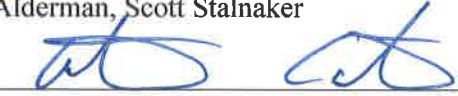
SO RESOLVED this 9 day of January, 2012.




Stephen T. Harper, Mayor, City of Nashville



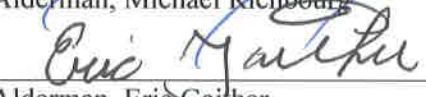
Alderman, Scott Stalnaker



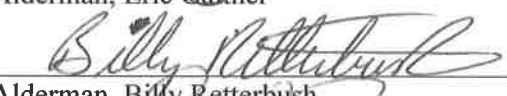
Alderman, Antonio Carter



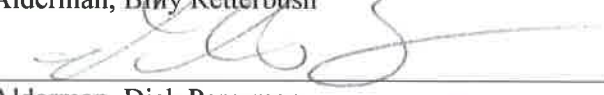
Alderman, Michael Richbourg



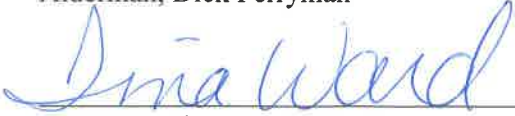
Alderman, Eric Gailher



Alderman, Billy Retterbush



Alderman, Dick Perryman



ATTEST: Tina Ward, City Clerk

RESOLUTION NO. R5-12

A RESOLUTION AMENDING RESOLUTION NO. R1-12 TO CREATE AN URBAN REDEVELOPMENT AGENCY FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE NASHVILLE RESIDENTIAL URBAN REDEVELOPMENT PLAN; AND TO PROVIDE BY-LAWS FOR THE URBAN REDEVELOPMENT AGENCY.

WHEREAS, Resolution R1-12 was adopted on January 9, 2012, in recognition of and in furtherance of O.C.G.A § 36-61-1 et. seq. and specifically of O.C.G.A § 36-61-2(1) and 36-61-18 both of which contemplate and provide for a "redevelopment agency"; and

WHEREAS, R1-12 proposed to create an Urban Redevelopment Agency in accordance with O.C.G.A 36-61-1 et. seq. and O.C.G.A 36-61-18 but designated said Agency the Nashville Urban Redevelopment Authority; and

WHEREAS, there already exists in the City of Nashville a Nashville Downtown Development Authority a/k/a the Downtown Development Authority of the City of Nashville; and

WHEREAS, the Council of the City of Nashville contemplated creating a new agency to be designated the Nashville Urban Redevelopment Agency; and

WHEREAS, Resolution number R1-12 inadvertently and incorrectly designated the new agency created for the purpose of administering and implementing the urban residential redevelopment activities associated with the Nashville Residential Urban Redevelopment Plan.

BE IT THEREFORE RESOLVED, by the Mayor and Council of the City of Nashville that Resolution number R1-12 creating or purporting to create the Nashville Redevelopment Authority is hereby amended, modified and supplemented by this Resolution so that it is hereby resolved by the Mayor and Council of the City of Nashville that the Nashville Residential Urban Redevelopment Agency is hereby created and adopted.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Nashville that the designation of the Nashville Residential Urban Redevelopment Agency hereby supersedes the creation of the Nashville Redevelopment Authority pursuant to said Resolution number R1-12 and hereby creates the Nashville Urban Redevelopment Agency and also provides for the adoption of By-laws for its membership and administration in accordance with the Official Code of Georgia Annotated § 36-61-1 et. seq.


SO RESOLVED this 27 of February 2012.

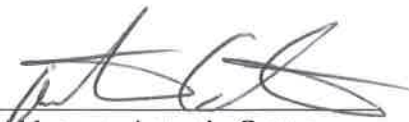
THE CITY OF NASHVILLE

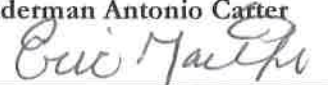

Mayor Stephen T. Harper


Alderman Scott Stalnaker


Alderman Michael Richbourg



Alderman Billy Retterbush


Alderman Antonio Carter


Alderman Eric Gaither

Alderman Dick Perryman

Attest:


City Clerk Tina Ward

AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, **Mayor Stephen Travis Harper** who after being duly sworn, deposes and on oath states the following:

1.

I was the presiding officer of a meeting of the Nashville City Council held on the 27th day of February, 2012.

2.

That it is my understanding that O.C.G.A. § 50-14-4(b) provides as follows: when any meeting of an agency is closed to the public pursuant to subsection (a) of this code section, the chairperson or other person presiding over such meetings shall execute and file with the official minutes of the meeting a notarized Affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

3.

The subject matter of the closed meeting or closed portion of the meeting held on the 27th day of February, 2012 which was closed for the purpose of discussing matters specified under § 50-14-2(1) to-wit: attorney client privilege pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions...was devoted to matters within those exceptions and as provided by law.

4.

This Affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an Affidavit be executed this 27 day of February, 2012.



Mayor Stephen Travis Harper

Sworn to and subscribed before me
this 27 day of February, 2012
in the presence of:



Notary Public

[Notarial Seal]

