

Res 18-1

**A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL AND EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE DOUGHERTY COUNTY BOARD OF
EDUCATION AND THE ALBANY-DOUGHERTY LAND BANK AUTHORITY REGARDING THE
EXTINGUISHMENT OF CERTAIN DELINQUENT AD VALOREM PROPERTY TAXES; REPEALING
PRIOR RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.**

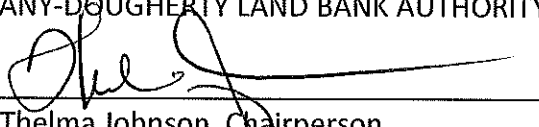
WHEREAS, the Board of Directors of the Albany-Dougherty Land Bank Authority are desirous of entering into an Intergovernmental Agreement between the Dougherty County Board of Education regarding the extinguishment of certain delinquent ad valorem property taxes.

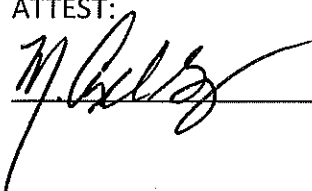
NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Albany-Dougherty Land Bank Authority as follows:

SECTION I The attached Intergovernmental Agreement between the Dougherty County Board of Education and the Albany-Dougherty Land Bank Authority regarding the extinguishment of certain delinquent ad valorem property taxes is hereby approved and the Chairperson of the Board of Directors is hereby authorized to execute same on behalf of the Albany-Dougherty Land Bank Authority.

SECTION II All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This the 20th day of February, 2018.

ALBANY-DOUGHERTY LAND BANK AUTHORITY
BY: 
Thelma Johnson, Chairperson

ATTEST:


**INTERGOVERNMENTAL AGREEMENT BETWEEN THE DOUGHERTY COUNTY
BOARD OF EDUCATION AND THE ALBANY-DOUGHERTY LAND BANK
AUTHORITY REGARDING THE EXSTINGUISHMENT OF CERTAIN DELINQUENT
AD VALOREM PROPERTY TAXES**

WHEREAS, in enacting Section 48-4-100 et seq. of the Official Code of Georgia Annotated (hereinafter the "Land Bank Act"), the Georgia General Assembly found that it is in the best interests of the State of Georgia and local units of government in this State to assemble or dispose of public property, including dilapidated, abandoned and tax delinquent property, in a coordinated manner to foster the development of that property and to promote economic growth in the State of Georgia;

WHEREAS the Albany-Dougherty Land Bank (hereinafter "Land Bank") is a public body corporate and politic authorized by and operating pursuant to the Land Bank Act and the Intergovernmental Agreement between the Dougherty County Board of Commissioners and the City of Albany dated April 17, 2017.

WHEREAS pursuant to Section 48-4-112(a) of the Land Bank Act, the Land Bank is authorized by resolution of its Board of Directors to discharge and extinguish ad valorem tax liens and claims, including any interest and penalties attached thereto, owed to the local governments that are members of the Land Bank and that encumber real property owned by the Land Bank;

WHEREAS pursuant to Section 48-4-112(a) of the Land Bank Act, whenever any real property owned by the Land Bank is encumbered by a lien or claim for real property taxes owed to a school district, the Land Bank is authorized by resolution of the Board of Directors to discharge and extinguish any and all such liens or claims, including any interest and penalties attached thereto upon written notice to the school district and the school district's failure to object in writing within 30 days of receipt of such notice or pursuant to an Intergovernmental Contract between the Land Bank and the school district;

WHEREAS the School District believes that the Land Bank serves an important purpose and desires to facilitate the goals of the Land Bank and allow the Land Bank to operate in an efficient manner; and

WHEREAS from time to time, the Land Bank shall acquire real property within the territorial limits of Dougherty County Georgia that is encumbered by liens for unpaid ad valorem taxes owed to the School District; and

WHEREAS the Land Bank shall have the power to discharge and extinguish liens and claims for delinquent ad valorem taxes owed to the City and County in order to facilitate return of the Property to productive use; and

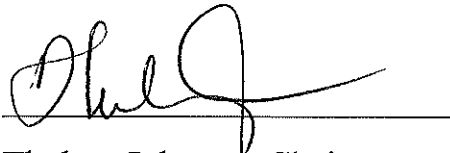
WHEREAS the School District desires to grant the Land Bank the authorization to extinguish ad valorem tax liens and claims owed to School District on property acquired by the Land Bank so long as the delinquent ad valorem taxes and claims do not exceed \$10,000.00 and

WHEREAS the School District desires to receive notice of the Land Bank's intent to extinguish ad valorem tax lines and claims in the event the taxes and liens exceed \$10,000.00 and the School District shall vote to determine whether to extinguish such liens and claims.

NOW THEREFORE, be it agreed by the Dougherty County School Board and the Albany-Dougherty Land Bank as follows:

1. The School Board hereby authorizes the Land Bank to discharge and extinguish the liens and claims for unpaid ad valorem taxes, including any interest and penalties attached thereto, owed to the Dougherty County School District on any property acquired by the Land Bank so long as the total amount owed to the school board does not exceed \$10,000. The Land Bank is hereby authorized to extinguish said liens without the need to consult or contact the School District.
2. If the Land Bank Authority acquires property with outstanding ad valorem taxes, including interest and penalties, that exceed \$10,000.00 the Land Bank Authority shall send written notice to the Superintendent for the Dougherty County School Board notifying the Superintendent that it desires to extinguish the outstanding ad valorem taxes owed to the School District. The Superintendent shall place the extinguishment of the liens on the agenda for the next School Board Meeting and the School Board shall consider the matter and vote to approve or disapprove of the extinguishment of the outstanding indebtedness on the property.
3. The Superintendent shall notify the Chair of the Land Bank Authority, or its designee of the School Board's intention regarding waiver of taxes within five days of the meeting.
4. In accordance with O.C.G.A. Section 48-4-110(c), the School Board shall convey to the Land Bank 75% of the real Property Taxes collected on real property that has been conveyed to a new owner by the Land Bank. Said conveyance shall commence with the first taxable year following the date of the conveyance and shall continue for a period of five years.

**ALBANY DOUGHERTY
LAND BANK AUTHORITY**



Thelma Johnson, Chair

Date 2-20-2018

**DOUGHERTY COUNTY
SCHOOL DISTRICT**



Velvet Poole, Chair

Date 2-20-2018