



LUMPKIN COUNTY
Board of Commissioners
Special Called Meeting Agenda
Commissioners Boardroom
99 Courthouse Hill
Dahlonega, GA 30533

April 2, 2024
4:30 PM

- **CALL TO ORDER**
- **CONSIDERATION OF AGENDA**
- **RESOLUTIONS**
2024-23 Resolution Resolving by Mutual Agreement an Understanding of the Union/Lumpkin County Line
- **ADJOURNMENT**



Lumpkin County, Georgia

County Attorney

Date:

April 2, 2024

Agenda Item:

2024-23 Resolution Resolving by Mutual Agreement an Understanding of the Union/Lumpkin County Line

Item Description:

**Facts & Historical
Information:**

**Potential Courses Of
Action:**

Budget Impact:

Staff Recommendation:

UNION COUNTY
RESOLUTION NO. ____

LUMPKIN COUNTY
RESOLUTION NO. 2024-23

A CONCURRENT UNANIMOUS RESOLUTION OF THE SOLE COMMISSIONER OF UNION COUNTY, GEORGIA, AND THE BOARD OF COMMISSIONERS OF LUMPKIN COUNTY, GEORGIA, FOR THE PURPOSE OF RESOLVING BY MUTUAL AGREEMENT AN UNDERSTANDING OF THE 16TH DISTRICT AND THE BOUNDARY OF THE UNION / LUMPKIN COUNTY LINE.

WHEREAS, the boundary line between Union County and Lumpkin County has been called into question due to a private survey for the sale of a private property, commonly known as the Blood Mountain Cabins, that used an incorrect boundary line that was recorded in a Georgia Department of Transportation Map; and

WHEREAS, the governing authorities of both counties have worked together to determine the actual boundary line based off of legislative acts, recorded maps, plats and deeds; and

WHEREAS, Union County was created in the Legislative Act of December 3, 1832 by Section 4 on page 56, where it was decreed the following:

Sec. 4. And be it further enacted, That the seventh, eighth, ninth, tenth, sixteenth, seventeenth, eighteenth and nineteenth, and so much of the sixth and eleventh districts of the first section, as lies north of the mountains, and of the before-mentioned line to be run, shall form and become one county, to be called Union.

WHEREAS, there has been no other legislative act since 1832 or transfer of land by judicial action in which this boundary pertaining to the sixteenth (16th) district was added to or subtracted from; and

WHEREAS, there is no record in the legislative acts of Georgia pertaining to Lumpkin County having any portion of the sixteenth district; and

WHEREAS, there has been no recorded dispute over the county boundary between Union and Lumpkin in the index of official county line disputes; and

WHEREAS, a survey/plat/map prepared for the United States Forest Service by R.I. Lowndes in 1935 accurately depicts the correct county boundaries, a copy of which is attached hereto as Exhibit 'A'; and

WHEREAS, a survey/plat/map prepared for the United States Forest Service in 1950 accurately depicts the correct county boundaries, a copy of which is attached hereto as Exhibit 'B'; and

WHEREAS, a survey/plat/map commissioned by the State of Georgia in 1982 for conveyance to the United States Forest Service accurately depicts the correct county boundaries, a copy of which is attached hereto as Exhibit 'C'; and

WHEREAS, the private property in question is located within the 16th district of the 1st section; and

WHEREAS, neither Union County or Lumpkin County knows the source of the misinterpretation of the county boundaries in the Georgia Department of Transportation highway maps but agree that the Legislative Act of 1832 has not changed and the 16th district in its entirety is in Union County; and

WHEREAS, the citizens of both counties affected have been considered by the governing authorities as to public safety, public services, public records, and voting rights; and

WHEREAS, this joint resolution is done in good faith to make sure future misunderstandings do not take place; and

WHEREAS, the sole commissioner of Union County approves this resolution; and

WHEREAS, the Board of Commissioners of Lumpkin County approve this resolution.

NOW, THEREFORE, BE IT RESOLVED, by joint and concurrent unanimous resolution of the Sole Commissioner of Union County and the Board of Commissioners of Lumpkin County, in public meetings assembled according to Georgia law, that both counties agree that the entirety of the 16th district is in Union County and the portion of the county boundary between Union County and Lumpkin County on the 16th district follows the district line; and

IT IS FURTHER RESOLVED, that any inaccuracy on the Union County or Lumpkin County tax parcel maps and each county's GIS maps, will be resolved to conform to the actual boundary line and to this resolution; and

IT IS FURTHER RESOLVED, that both counties will provide the Georgia Department of Transportation a copy of this resolution, along with any copies of legislative acts, maps, plats, or surveys needed for the Georgia Department of Transportation to correct their maps; and

IT IS FURTHER RESOLVED, that the county boundary road sign on Blood Mountain will be moved to the southernmost point on Gainesville Hwy, also known as Hwy 19N, where the Union County and Lumpkin County line intersect; and

IT IS FURTHER RESOLVED, the section of Gainesville Hwy, also known as Hwy 19N, above the southernmost point where the Union County and Lumpkin County line intersect will be serviced by Union County for any emergency services; and

IT IS FURTHER RESOLVED, that the voter registrations of the residents of the Sixteenth District that were transferred to Lumpkin County will be transferred back to Union County;

IT IS FURTHER RESOLVED, that this joint resolution will be filed with the Union County Clerk for Superior Court and cross referenced to the affected properties; and

IT IS FURTHER RESOLVED, that a copy of this resolution will be provided to the Georgia Secretary of State; and

SO RESOLVED, by the Sole Commissioner of Union County on the ____ day of _____, 2024, and the Board of Commissioners of Lumpkin County on the 2nd day of April, 2024.

Lamar Paris, Sole Commissioner
Union County Georgia

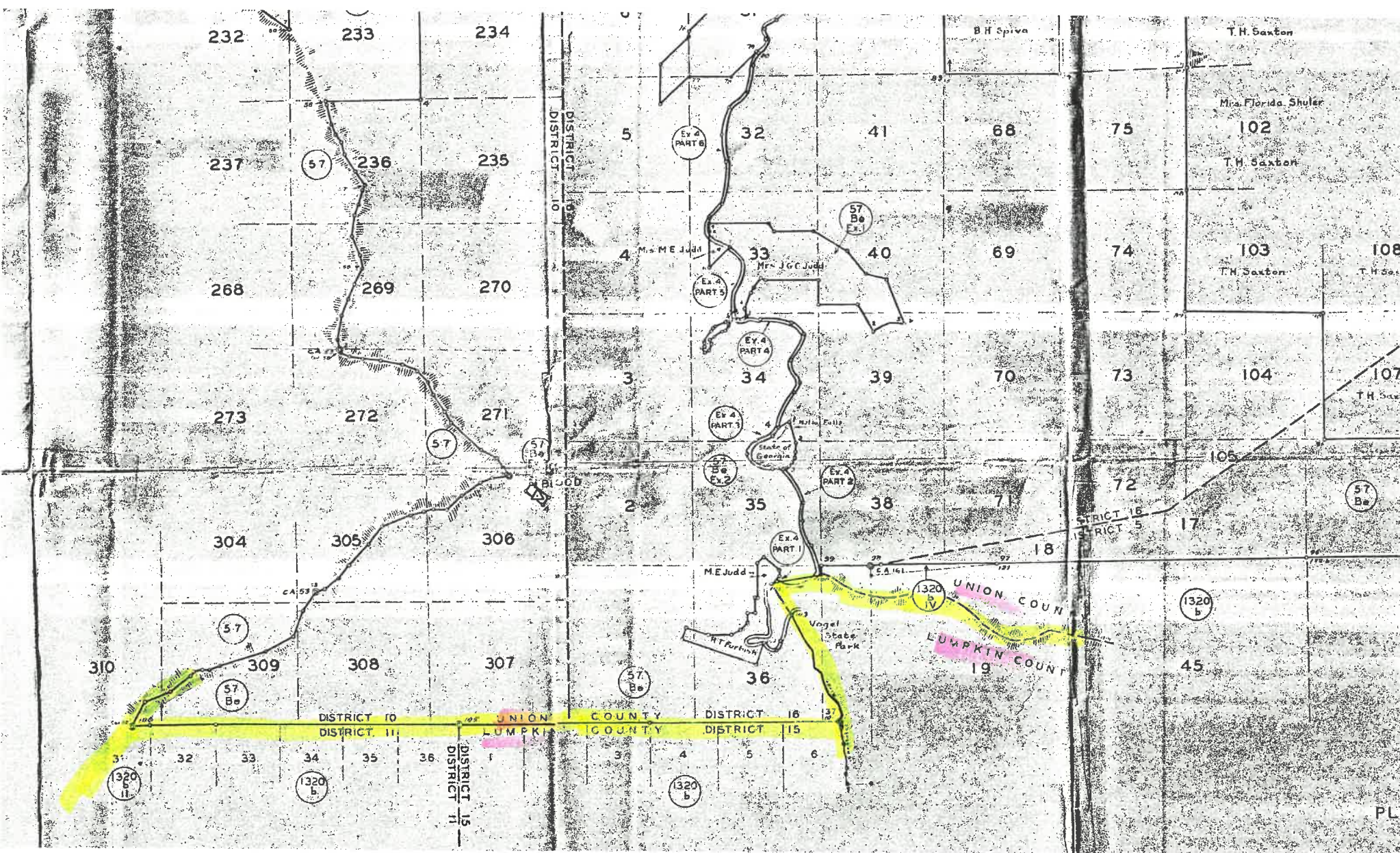
ATTEST:

Jennifer Mahan, County Clerk
Union County Georgia

Chris Dockery, Chairman
Lumpkin County Board of Commissioners

Attest:

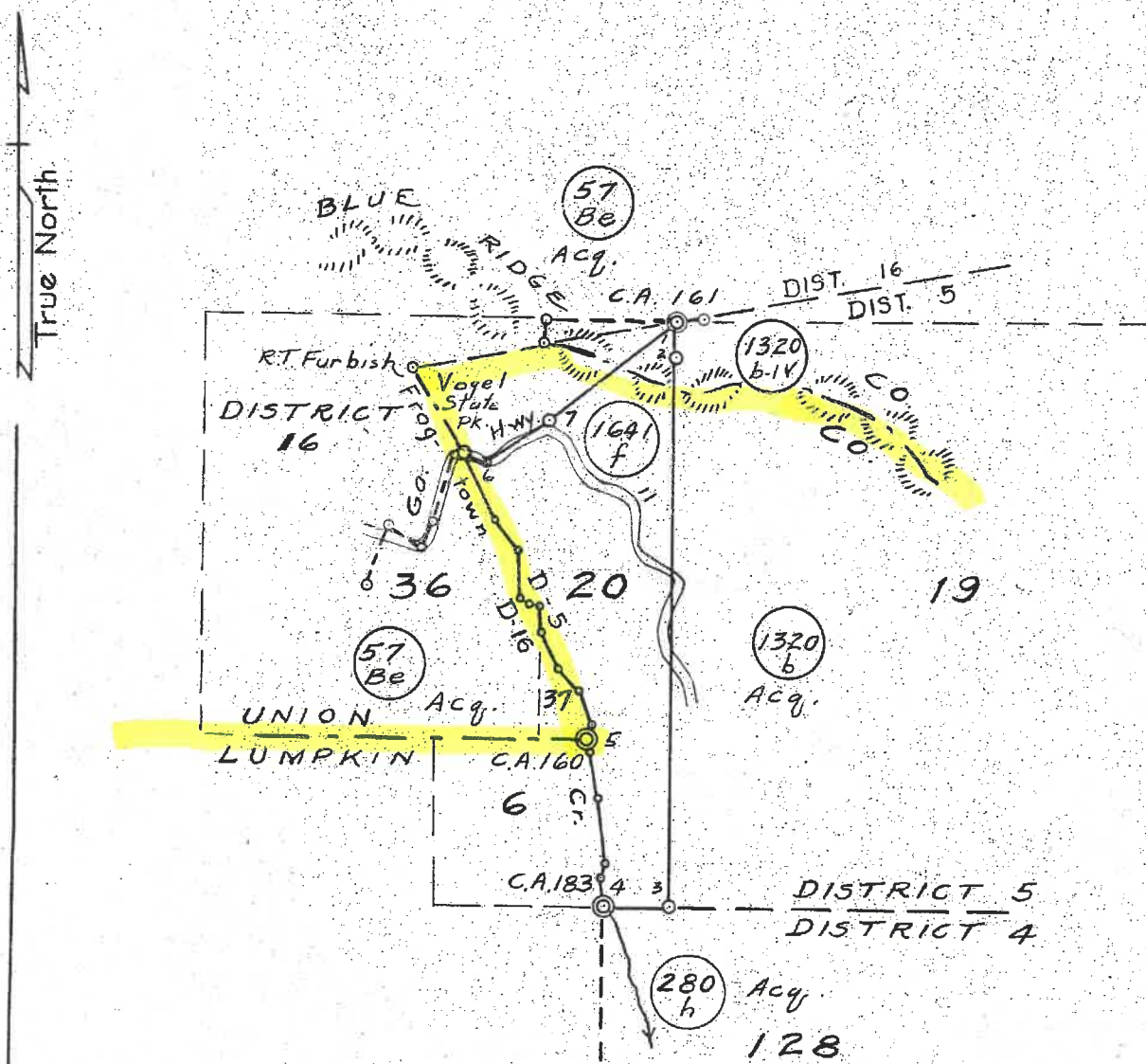
Melissa Z. Witcher
Lumpkin County Clerk



USFS SURVEY 1935
Tract G-57Be

ACQUISITION SURVEY PLAT

NOTE: For bearings and distances, see description to which this map is attached and of which it is a part.



STATE OF GEORGIA
EXCHANGE
OFFERED LAND
TRACT NO. 1641f
CONTAINING 85.5 AC.

34' 55'
43'
83'

CHATAHOOCHEE NATIONAL FOREST
BLUE RIDGE R.D. UNIT
Union and
Lumpkin County, Ga. State
Scale: 4 inches = 1 mile

U.S.F.S. SURVEYS
Surveyed by: J.R.B.
Note Book:
Drawn by: J.R.B.
Checked by: J.R.B.
Date: 4-11-1950

