

Ex-merchant seeks more from city for property

By E. Richard Walton
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The city of East Point has paid \$255,000 to a former liquor store owner whose property was condemned as part of the \$2.1 million Cleveland Avenue modernization project.

Donald T. Fouts of Smyrna, who formerly owned Cleveland Avenue Liquor, said he received the money from the city two weeks ago, but he feels he should get more.

About \$64,000 went to his attorney, Douglas B. Warner of Peachtree City, and for filing fees, he said.

Acting Fulton Superior Court Judge R. Wayne Presley ordered that Fouts, who lost his property in January 1992, be paid following a jury trial, city records show.

Unaware that Fouts had received the check a few days earlier, the City Council debated whether to pay him at a work session last week.

"The judge has given us a directive," City Manager Joseph Johnson said.

"You have to pay it," Councilman Melvin Pittman said.

The city has been in the process of settling with more than 65 property owners whose land was taken for the Cleveland Avenue widening, Johnson said.

"This is no different from any government that's had a road widening project," Johnson commented.

But Fouts feels East Point owes him more money and his livelihood.

"No, I'm not happy until the fat lady sings," he said after getting the check.

Fouts, who is recovering from back surgery, hinted that he'll seek further monetary relief, mainly relocation fees. "There's more involved than what's been said," he said.

He still owns three parcels near where his store sat, at Sylvan Road and Cleveland, but he said he can't reopen a business without adequate parking.

While he didn't specify how much he'd be seeking, he is expected to meet with city officials within the next two weeks.

"I was perfectly happy right there where I was," he said. "Right now, I have to start from scratch."



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