



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: November 24, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (4535 Lake Forrest Drive)

MEETING DATE: For Submission onto the December 2, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Exhibits
Resolution

CITY MANAGER APPROVAL: _____

PLACED ON AGENDA FOR: **12/02/2014**

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: _____



TO: John McDonough, City Manager

FROM: Garrin M. Coleman, P.E., Public Works Director

DATE: November 20, 2014, for Submission onto the Consent Agenda of the December 2, 2014 Mayor and City Council Meeting

ITEM: Consideration of the Acceptance of the dedication of Right of Way as part of the zoning requirements.

Recommendation:

Staff recommends that the Mayor and City Council accept the right of way deed dedicating all that tract or parcel of land lying and located in Land Lot 94 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Thomas L. and Deborah H. Carson, and is more specifically known as being 4535 Lake Forrest Drive. The dedicated right of way totals 998.00 square feet and is being dedicated as required by conditions of zoning.

Background:

Right of way is being dedicated per the requirements/conditions of zoning and the Development Regulation Ordinance. The property owners have paid the recording fees and met the requirements of the Transportation Planning Division of the Public Works Department and the City's Right of Way Specialist for the dedication of the right of way.

Discussion:

N/A

Alternatives:

N/A

Financial Impact:

None. This is a dedication at no cost to the City.

Attachments:

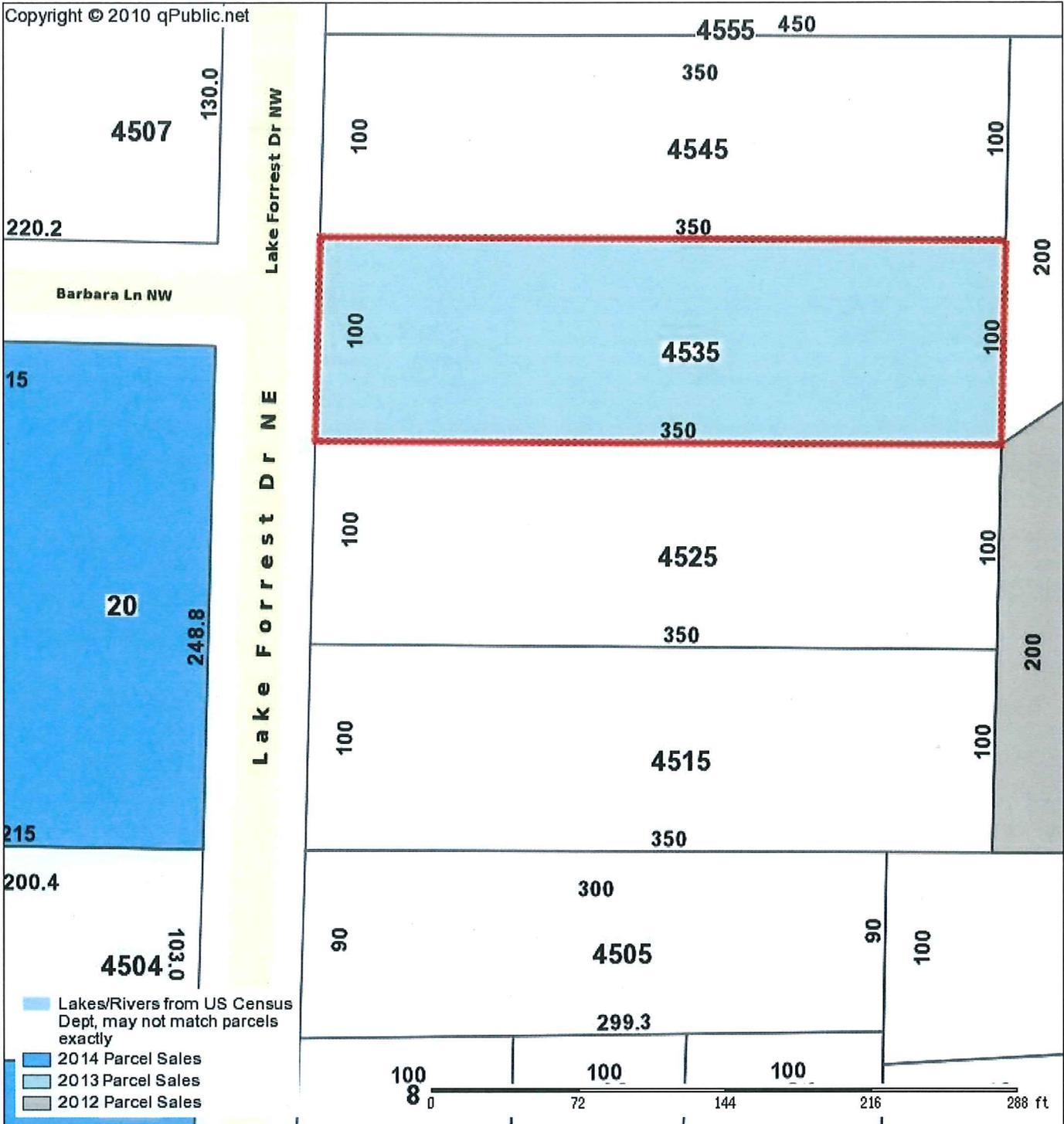
- I. Exhibits
 - Aerial and GIS Maps
 - Executed Right of Way Deed of Dedication including Plats and Legal Description
- II. Resolution



ROW Deed of Dedication / Tom Carson			
Parcel: 17 009400030529 Acres: 0.8035			
Name:	CARSON THOMAS L &	Land Value:	204400
Site:	4535 LAKE FORREST DR	Building Value:	0
Sale:	\$425000 on 2013-09-12 Reason=3 Qual=U	Misc Value:	
Mail:	4535 LAKE FORREST DR ATLANTA, GA 30342	Total Value:	204400



Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.



- Lakes/Rivers from US Census Dept, may not match parcels exactly
- 2014 Parcel Sales
- 2013 Parcel Sales
- 2012 Parcel Sales



ROW Deed of Dedication / Tom Carson			
Parcel: 17 009400030529 Acres: 0.8035			
Name:	CARSON THOMAS L &	Land Value:	204400
Site:	4535 LAKE FORREST DR	Building Value:	0
Sale:	\$425000 on 2013-09-12 Reason=3 Qual=U	Misc Value:	
Mail:	4535 LAKE FORREST DR ATLANTA, GA 30342	Total Value:	204400



Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
Date printed: 11/14/14 : 09:16:13

AFTER RECORDING, PLEASE RETURN TO:
City Clerk's Office
7840 Roswell Road
Building 500
Sandy Springs, GA 30350

RIGHT OF WAY DEED
(Dedication by Private Owner)

STATE OF GEORGIA
FULTON COUNTY

THIS INDENTURE, made this 3 day of November, 2014, between Thomas L. Carson and Deborah H. Carson, as Grantor(s), and The City of Sandy Springs, a municipal corporation of the State of Georgia, as Grantee.

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

That tract of land lying and being in Land Lot 94 of the 17th District of Fulton County, Georgia and being furthermore described in Deed Book# 53146, Page# 318. Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

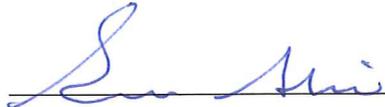
It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Lake Forrest Drive, with a total depth of 30 feet from existing centerline and the fee simple right of way area equaling 998.00 square feet for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File #: 2013-03497.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

IN WITNESS WHEREOF Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Signed, sealed and delivered in the presence of:


Unofficial Witness


Thomas L. Carson (L.S.)

 11/3/2014
Notary Public


Deborah H. Carson (L.S.)

My Commission expires **KWANG IL SHIM**
Notary Public
Gwinnett County, Georgia
My Commission Expires March 9, 2018

{NOTARY SEAL}

Exhibit A

Legal Description

4535 Lake Forrest Drive

Right of Way Dedication

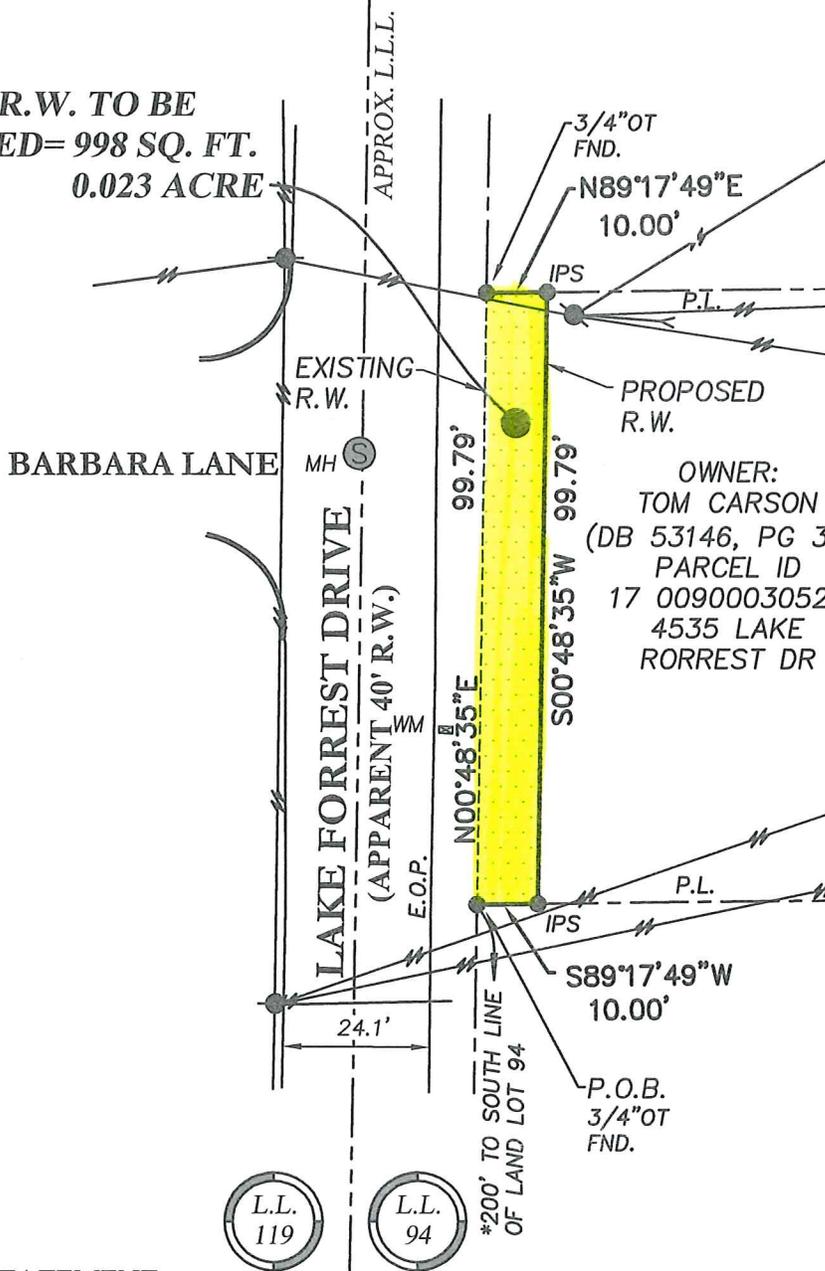
All that tract or parcel of land lying and being in Land Lots 94 , 17th District, City of Sandy Springs, Fulton County, Georgia, containing approximately 0.023 acres,, and being more particularly described as follows:

To find the **TRUE POINT OF BEGINNING, COMMENCE** at a point located at the intersection of the eastern right of way of Lake Forrest Drive (50' right of way) and the the south line of Land Lot 94; Thence along said right of way north 200 feet to a 3/4" open top pipe found and the **TRUE POINT OF BEGINNING. FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED**, thence continuing along said right of way N00°48'35"E for a distance of 99.79 feet to a 3/4" open top pipe found; thence leaving said right of way N89°17'49"E for a distance of 10.00 feet to a point; thence S00°48'35"W for a distance of 99.79 feet to a point; thence S89°17'49"W for a distance of 10.00 feet to 3/4" open top pipe and the **POINT OF BEGINNING.**

Exhibit B

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

AREA OF R.W. TO BE DEDICATED= 998 SQ. FT.
0.023 ACRE

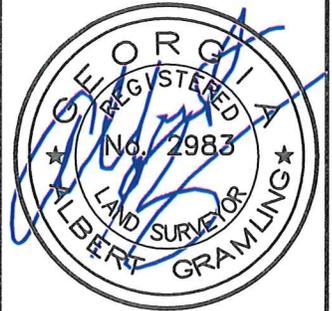


OWNER:
TOM CARSON
(DB 53146, PG 3
PARCEL ID
17 0090003052
4535 LAKE
RORREST DR

RIGHT OF WAY DEDICATION EXHIBIT FOR:

TOM CARSON

LAND LOT: 94 DISTRICT: 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
SCALE: 1"=30'
DRAFT DATE: 10.28.14
PROJECT NO.: 13034



Gunnin

LAND SURVEYING, LLC

105 MOUNTAIN BROOK DRIVE, SUITE 104
CANTON, GA 30115

www.gunninlandsurveying.com
Land Surveyor Firm License No. LSF001033
Tel: 678.880.7502
Fax: 678.609.4731

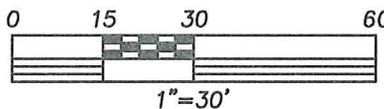
CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 4 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 19,074. THIS PLAT HAS NOT BEEN ADJUSTED.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF 1 IN INFINITY.

*PER DEED AND PLAT RECORDS; NO MONUMENT FOUND.

REFERENCE: SURVEY FOR TOM CARSON PREPARED BY THIS FIRM DATED AUGUST 27, 2013.



Deed Book 53146, PAGE 318

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 94 OF THE 17th DISTRICT,
FULTON COUNTY, CITY OF SANDY SPRINGS, GEORGIA**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

WHEREAS, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

That they approve the acceptance of the dedication of a Right of Way Deed from Thomas L. and Deborah H. Carson on property more particularly described as 4535 Lake Forrest Drive in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 998.00 Square Feet of Right of Way along Lake Forrest Drive in land lot 94 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 2nd day of December, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)