

STATE OF GEORGIA

COUNTY OF FULTON

**A RESOLUTION TO APPROVE THE APPROPRIATION OF CERTAIN
PROPERTY RIGHTS AND INTERESTS LOCATED AT 5300 ROSWELL ROAD
NE THROUGH THE USE OF EMINENT DOMAIN**

WHEREAS, the City of Sandy Springs (“City”) has determined it is necessary to construct certain streetscape improvements along Roswell Road specifically between Long Island Drive to the Prado (T-0033-7 CDBG Roswell Road Sidewalks Project) (“Project”); and

WHEREAS, in order to construct the Project, certain property rights and interests are required over, under, and through the property located at 5300 Roswell Road, NE within the City, those interests being more particularly described in Exhibit “A” attached to this resolution; and

WHEREAS, the Mayor and Council have considered the Project and determined that appropriation of the property rights and interests is necessary and must be carried out expeditiously to ensure timely completion of the Project; and

WHEREAS, the Mayor and City Council find that the circumstances are such that it is necessary to proceed with appropriation under eminent domain provisions of Article 1 of Chapter 3 of Title 32 of the Official Code of Georgia Annotated (“Georgia Code”);

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

1. The City Attorney’s office is hereby authorized to acquire through the use of eminent domain pursuant to Title 32 of the Georgia Code the necessary property rights and interests over, under, and across the property located at 5300 Roswell Road, NE in order to ensure that the City acquires free and clear title to such rights and interests and to ensure the timely completion of the Project; and
2. The City Manager and City Attorney are hereby authorized to take such actions as may be necessary to effectuate the intent of this resolution.

SO RESOLVED, this 19th day of November, 2019.

Approved:



Russell K. Paul, Mayor

Attest:



Coty Thigpen, City Clerk

(SEAL)

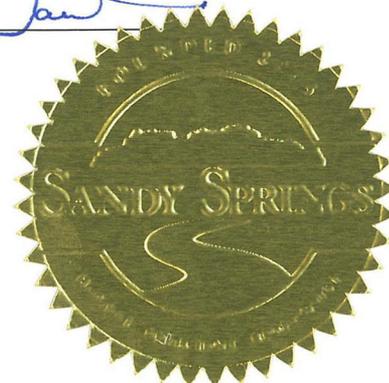


EXHIBIT "A"

LEGAL DESCRIPTION/ REQUIRED RIGHT OF WAY
CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA
PROJECT: T-0033-7 Roswell Rd Sidewalks
PARCEL NO. 13/ 5300 ROSWELL ROAD LLC

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 29.58 feet left and opposite of Station 142+91.91 on City of Sandy Springs Roswell Rd Sidewalks Project No.T-0033-7 (N 1418555.576451 E 2231569.435668); running thence N 66°22'07.6" W a distance of 13.46 feet to a point 43.00 feet left of and opposite station 142+90.82 on said construction centerline laid out for ROSWELL ROAD; thence northeasterly 162.98 feet along the arc of a curve (said curve having a radius of 1843.00 feet and a chord distance of 162.92 feet on a bearing of N 30°52'25.4" E) to the point 43.00 feet left of and opposite station 144+50.00 on said construction centerline laid out for ROSWELL ROAD; thence N 32°30'17.2" E a distance of 50.21 feet to a point 44.00 feet left of and opposite station 145+00.00 on said construction centerline laid out for ROSWELL ROAD; thence N 33°40'04.3" E a distance of 49.00 feet to a point 44.00 feet left of and opposite station 145+49.00 on said construction centerline laid out for ROSWELL ROAD; thence N 56°19'55.7" W a distance of 5.00 feet to a point 49.00 feet left of and opposite station 145+49.00 on said construction centerline laid out for ROSWELL ROAD; thence N 33°40'04.3" E a distance of 8.79 feet to a point 49.00 feet left of and opposite station 145+57.79 on said construction centerline laid out for ROSWELL ROAD; thence S 66°09'07.6" E a distance of 15.85 feet to a point 33.38 feet left of and opposite station 145+60.50 on said construction centerline laid out for ROSWELL ROAD; thence southwesterly 271.54 feet along the arc of a curve (said curve having a radius of 1963.12 feet and a chord distance of 271.32 feet on a bearing of S 31°13'06.4" W) back to the point of beginning.

Containing 0.070 acres more or less.

LEGAL DESCRIPTION/ EASEMENT FOR CONSTRUCTION OF SLOPES
CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA
PROJECT: T-0033-7 Roswell Rd Sidewalks
PARCEL NO. NO. 13/ 5300 ROSWELL ROAD LLC

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 43.00 feet left and opposite of Station 148+90.82 on City of Sandy Springs Roswell Rd Sidewalks Project No.T-0033-7 (N 1418560.973013 E 2231557.101741); running thence N 66°22'07.6" W a distance of 12.04 feet to a point 55.00 feet left of and opposite station 142+89.87 on said construction centerline laid out for ROSWELL ROAD; thence N 35°43'22.5" E a distance of 62.25 feet to a point 48.00 feet left of and opposite station 143+50.00 on said construction centerline laid out for ROSWELL ROAD; thence N 31°48'55.9" E a distance of 102.65 feet to a point 48.00 feet left of and opposite station 144+50.00 on said construction centerline laid out for ROSWELL ROAD; thence N 25°42'39.8" E a distance of 50.71 feet to a point 55.00 feet left of and opposite station 145+00.00 on said construction centerline laid out for ROSWELL ROAD; thence N 33°40'04.3" E a distance of 44.00 feet to a point 55.00 feet left of and opposite station 145+44.00 on said construction centerline laid out for ROSWELL ROAD; thence N 8°32'46.9" W a distance of 14.88 feet to a point 65.00 feet left of and opposite station 145+55.02 on said construction centerline laid out for ROSWELL ROAD; thence S 66°09'07.6" E a distance of 16.24 feet to a point 49.00 feet left of and opposite station 145+57.79 on said construction centerline laid out for ROSWELL ROAD; thence S 33°40'04.3" W a distance of 8.79 feet to a point 49.00 feet left of and opposite station 145+49.00 on said construction centerline laid out for ROSWELL ROAD; thence S 56°19'55.7" E a distance of 5.00 feet to a point 44.00 feet left of and opposite station 145+49.00 on said construction centerline laid out for ROSWELL ROAD; thence S 33°40'04.3" W a distance of 49.00 feet to a point 44.00 feet left of and opposite station 145+00.00 on said construction centerline laid out for ROSWELL ROAD; thence S 32°30'17.2" W a distance of 50.21 feet to a point 43.00 feet left of and opposite station 144+50.00 on said construction centerline laid out for ROSWELL ROAD; thence southwesterly 162.98 feet along the arc of a curve (said curve having a radius of 1843.00 feet and a chord distance of 162.92 feet on a bearing of S 30°52'25.4" W) back to the point of beginning.

Containing 0.047 acres more or less.

LEGAL DESCRIPTION/ EASEMENT FOR CONSTRUCTION OF DRIVES
CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA
PROJECT: T-0033-7 Roswell Rd Sidewalks
PARCEL NO. 13/ 5300 ROSWELL ROAD LLC

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 47.47 feet left and opposite of Station 144+25.00 on City of Sandy Springs Roswell Rd Sidewalks Project No.T-0033-7 (N 1418681.752453 E 2231623.000198); running thence N 57°23'19.3" W a distance of 12.53 feet to a point 60.00 feet left of and opposite station 144+25.00 on said construction centerline laid out for ROSWELL ROAD; thence N 33°27'26.8" E a distance of 86.11 feet to a point 60.00 feet left of and opposite station 145+10.00 on said construction centerline laid out for ROSWELL ROAD; thence S 56°19'55.7" E a distance of 5.00 feet to a point 55.00 feet left of and opposite station 145+10.00 on said construction centerline laid out for ROSWELL ROAD; thence S 33°40'04.3" W a distance of 10.00 feet to a point 55.00 feet left of and opposite station 145+00.00 on said construction centerline laid out for ROSWELL ROAD; thence S 25°42'39.8" W a distance of 50.71 feet to a point 48.00 feet left of and opposite station 144+50.00 on said construction centerline laid out for ROSWELL ROAD; thence S 31°48'55.9" W a distance of 25.67 feet back to the point of beginning.

Containing 0.018 acres more or less.

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5300 ROSWELL ROAD LLC

REQ'D R/W - PARCEL 13/SV18		REQ'D R/W DE1013	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
260	29.58 L	142+91.91	ROSWELL ROAD
	13.46	N 66°22'07.6" W	
DE10076	43.00 L	142+90.82	ROSWELL ROAD
ARC LENGTH = 162.98			
CHORD BEAR = N 30°52'25.4" E			
LNTH CHORD = 162.92			
RADIUS = 1843.00			
DEGREE = 3°06'31.8"			
DE10077	43.00 L	144+50.00	ROSWELL ROAD
	50.21	N 32°30'17.2" E	
DE10078	44.00 L	145+00.00	ROSWELL ROAD
	49.00	N 33°40'04.3" E	
DE10079	44.00 L	145+49.00	ROSWELL ROAD
	5.00	N 56°19'55.7" W	
DE10080	49.00 L	145+49.00	ROSWELL ROAD
	8.79	N 33°40'04.3" E	
DE10081	49.00 L	145+57.79	ROSWELL ROAD
	15.85	S 66°09'07.6" E	
258	33.38 L	145+60.50	ROSWELL ROAD
ARC LENGTH = 271.54			
CHORD BEAR = S 31°13'06.4" W			
LNTH CHORD = 271.32			
RADIUS = 1963.12			
DEGREE = 2°55'07.0"			
260	29.58 L	142+91.91	ROSWELL ROAD
REQ'D R/W	= 3033.01	SF	
REQ'D R/W	= 0.070	ACRES	
REMAINDER	= +/- 0.511	ACRES	

RESMT - PARCEL 13/SV18		REQ'D TEMP. EASMT. DE1013A	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE10076	43.00 L	142+90.82	ROSWELL ROAD
DE10082	55.00 L	142+89.87	ROSWELL ROAD
DE10083	48.00 L	143+50.00	ROSWELL ROAD
DE10084	48.00 L	144+50.00	ROSWELL ROAD
DE10085	55.00 L	145+00.00	ROSWELL ROAD
DE10086	55.00 L	145+44.00	ROSWELL ROAD
DE10087	65.00 L	145+55.02	ROSWELL ROAD
DE10081	49.00 L	145+57.79	ROSWELL ROAD
DE10080	49.00 L	145+49.00	ROSWELL ROAD
DE10079	44.00 L	145+49.00	ROSWELL ROAD
DE10078	44.00 L	145+00.00	ROSWELL ROAD
DE10077	43.00 L	144+50.00	ROSWELL ROAD
ARC LENGTH = 162.98			
CHORD BEAR = S 30°52'25.4" W			
LNTH CHORD = 162.92			
RADIUS = 1843.00			
DEGREE = 3°06'31.8"			
DE10076	43.00 L	142+90.82	ROSWELL ROAD
REQ'D EASMT AREA	= 2025.77	SF	