

STATE OF GEORGIA

COUNTY OF FULTON

AN ORDINANCE TO AUTHORIZE THE CITY TO ABANDON A PARCEL OF LAND AS PROVIDED BY O.C.G.A 36-37-6; TO OFFER TO SELL THE PARCEL OF LAND TO THE ADJOINING PROPERTY OWNERS; TO SPECIFY THE TERMS OF ANY OFFER; AND TO AUTHORIZE THE MAYOR TO EXECUTE A LIMITED WARRANTY DEED AS APPROVED BY THE CITY ATTORNEY TO COMPLETE ANY SALE

WHEREAS, O.C.G.A. 36-37-6(g) authorizes the governing authority of the City to abandon, sell and convey parcels of narrow strips of land, so shaped or so small as to be incapable of being used independently as zoned or under applicable subdivision or other development ordinances, or as streets, to abutting property owners where such sales and conveyances facilitate the enjoyment of the highest and best use of the abutting owner's property without first submitting the sale or conveyance to the process of an auction or the solicitation of sealed bids; provided, however, that each abutting property owner shall be notified of the availability of the property and shall have the opportunity to purchase said property under terms and conditions as set out by ordinance;

WHEREAS, such a parcel of land located at the east corner of Barfield and Abernathy Roads is owned by the City and is more particularly described in Exhibit "A", attached hereto and made a part hereof, and is shown on the copy of survey attached hereto and made a part hereof as Exhibit "B";

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council that they are hereby authorized to abandon the described parcel, to notify the abutting property owners of the availability of the property and of the terms and conditions for the purchase as hereinafter set forth; and to authorize the execution of a Limited Warranty Deed, of a form approved by the City Attorney, by the Mayor at such time as may be deemed appropriate as follows:

"The City is the owner of a parcel of land located on the east corner of Barfield and Abernathy Roads. Due to the triangular shape and size of this parcel of land, described in Exhibit "A", attached hereto, and shown on Exhibit "B", attached hereto, it is incapable of being used independently as zoned or under applicable subdivision or other development ordinances, or as streets.

The Mayor and Council are hereby authorized to offer to sell and convey "as is" this described parcel of land to the abutting property owner for the purchase price of \$68,292; it appearing there is only one abutting property owner.

If the abutting property owner accepts and agrees to pay to the City the sum of \$68,292, this agreed sum shall be paid no later than September 1, 2006, and the Mayor is hereby authorized to execute a Limited Warranty Deed, as a form approved by the City Attorney, deeding all interest which the City may have in and to this parcel of land at the time the monies are paid, but in any event no later than September 1, 2006.

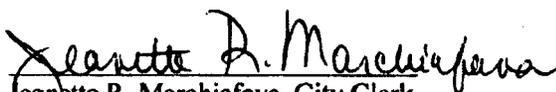
BE IT ORDAINED that any and all ordinances and resolutions in conflict with this Ordinance are hereby repealed.

NOW, THEREFORE, BE IT SO ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, this the 15th day of August, 2006.

Approved:


Eva Galambos, Mayor

Attest:


Jeanette R. Marchiafava, City Clerk

(Seal)

