



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: October 25, 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 (180 Allen Road)

MEETING DATE: For Submission onto the November 4, 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: **11/4/2014**

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: _____



TO: John McDonough, City Manager

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

DATE: October 23, 2014, for Submission onto the Consent Agenda of the November 4, 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 90 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Fulton-Allen Road Associates, LLC, and is more specifically known as being 180 Allen Road. The dedicated right of way totals 1,500.00 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



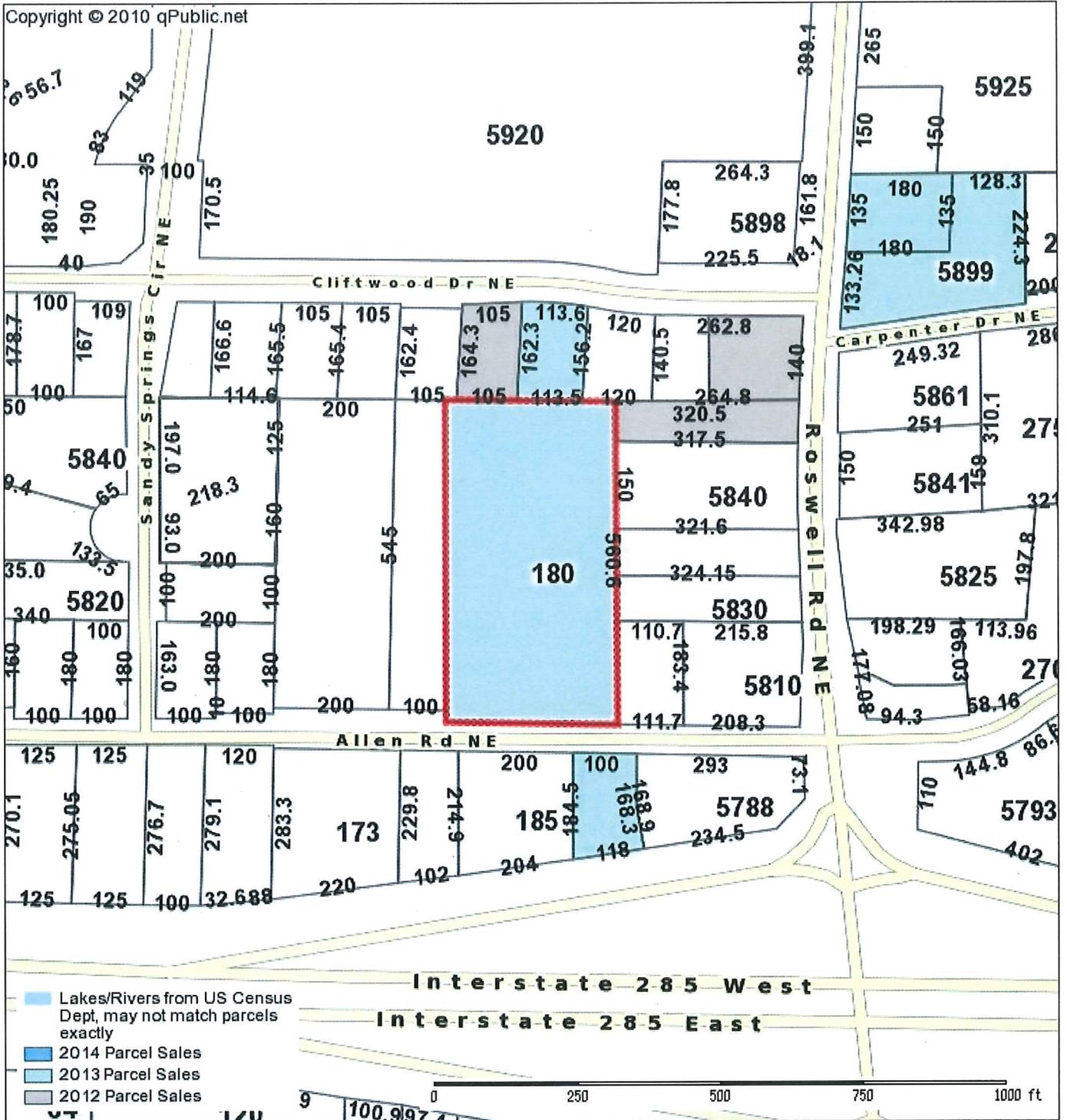
ROW Deed of Dedication / 180 Allen Road

Parcel: 17 009000020888 Acres: 3.89

Name:	FULTON ALLEN ROAD ASSOCIATES LLC	Land Value:	1400400
Site:	180 ALLEN RD	Building Value:	778600
Sale:	\$3400000 on 2013-08-08 Reason=0 Qual=U	Misc Value:	
Mail:	2100 POWERS FERRY RD	Total Value:	2179000
	ATLANTA, GA 30339		



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: 10/16/14 : 13:09:37



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RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 15 day of AUGUST, 2018, between Fulton-Allen Road Associates, LLC, as Grantor, and the City of Sandy Springs, GA, 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:

Being a portion of that tract of land lying and being in Land Lot 90 of the 17th District of Fulton County, Georgia and being furthermore described in Deed Book 53047 Page 424. 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 Allen Road, with a total depth of 30 feet from existing centerline and equaling 1,500 square feet for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.:201400201.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple, subject to all matters of record as of the date hereof.

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:

[Signature]
Unofficial Witness

By: [Signature] (SEAL)

Name: Seth R. Greenberg

Title: President of Manager

[Signature]
Notary Public

Attest: Christina Drago (SEAL)



Exhibit A

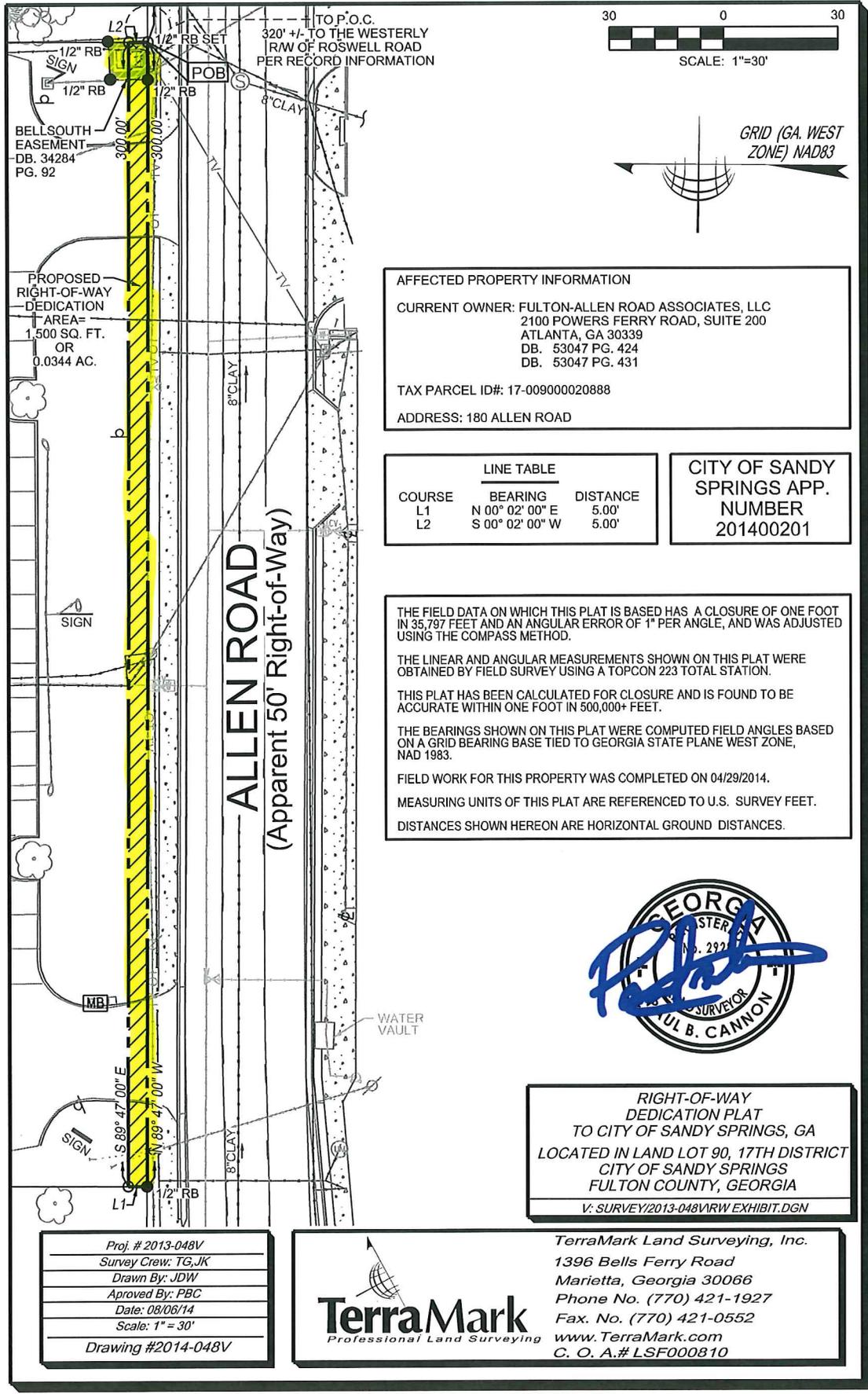
PROPERTY DESCRIPTION (Proposed Right-of-Way Take along Allen Road)

Being all that tract or parcel of land lying and being in Land Lot 90, 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set on the northerly right-of-way of Allen Road (having an apparent 50' right-of-way) said rebar set 320 feet westerly along the aforesaid right-of-way of Allen Road from the intersection of said northerly right-of-way of Allen Road and the westerly right-of-way of Roswell Road per record information; thence, leaving the aforesaid POINT OF BEGINNING as thus established and continuing with the said right-of-way of Allen Road

1. North 89° 47' 00" West, 300.00 feet to a 1/2 inch rebar found; thence, leaving the aforesaid right-of-way of Allen Road and running with lands now or formerly owned by Housing Authority of Fulton County per Deed Book 6236, Page 299 and Deed Book 6236, Page 300 recorded among the Land Records of Fulton County, Georgia
2. North 00° 02' 00" East, 5.00 feet; thence, leaving the aforesaid property of Housing Authority of Fulton County
3. South 89° 47' 00" East, 300.00 feet; thence, running with lands now or formerly of The Mary Virginia Seagraves Irrevocable Trust per Deed Book 21739, Page 164, aforesaid records
4. South 00° 02' 00" West, 5.00 feet to the POINT OF BEGINNING, containing 1,500 square feet or 0.0344 acres of land, more or less.

EXHIBIT B



AFFECTED PROPERTY INFORMATION

CURRENT OWNER: FULTON-ALLEN ROAD ASSOCIATES, LLC
 2100 POWERS FERRY ROAD, SUITE 200
 ATLANTA, GA 30339
 DB. 53047 PG. 424
 DB. 53047 PG. 431

TAX PARCEL ID#: 17-009000020888

ADDRESS: 180 ALLEN ROAD

LINE TABLE		
COURSE	BEARING	DISTANCE
L1	N 00° 02' 00" E	5.00'
L2	S 00° 02' 00" W	5.00'

CITY OF SANDY SPRINGS APP. NUMBER 201400201

THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 35,797 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE, AND WAS ADJUSTED USING THE COMPASS METHOD.

THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY FIELD SURVEY USING A TOPCON 223 TOTAL STATION.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 500,000+ FEET.

THE BEARINGS SHOWN ON THIS PLAT WERE COMPUTED FIELD ANGLES BASED ON A GRID BEARING BASE TIED TO GEORGIA STATE PLANE WEST ZONE, NAD 1983.

FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON 04/29/2014.

MEASURING UNITS OF THIS PLAT ARE REFERENCED TO U.S. SURVEY FEET.

DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.



RIGHT-OF-WAY DEDICATION PLAT TO CITY OF SANDY SPRINGS, GA
 LOCATED IN LAND LOT 90, 17TH DISTRICT
 CITY OF SANDY SPRINGS
 FULTON COUNTY, GEORGIA
 V: SURVEY2013-048VRW EXHIBIT.DGN

Prof. # 2013-048V
 Survey Crew: TG,JK
 Drawn By: JDW
 Approved By: PBC
 Date: 08/06/14
 Scale: 1" = 30'
 Drawing #2014-048V

TerraMark
 Professional Land Surveying

TerraMark Land Surveying, Inc.
 1396 Bells Ferry Road
 Marietta, Georgia 30066
 Phone No. (770) 421-1927
 Fax. No. (770) 421-0552
 www.TerraMark.com
 C. O. A.# LSF000810

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 90 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 Fulton-Allen Road Associates, LLC, on property more particularly described as 180 Allen Road in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 1,500.00 Square Feet of Right of Way along Allen Road in land lot 90 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 4th day of November, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)