



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: August 14, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: Acceptance of a Dedication of a Right of Way Deed as Part of the Zoning Requirements (6038 Roswell Road along Sandy Springs Place)

MEETING DATE: For Submission onto the August 19, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Exhibits
Resolution

APPROVAL BY CITY MANAGER: JFM APPROVED

PLACED ON AGENDA FOR: 08/19/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: CAL

REMARKS:



TO: John McDonough, City Manager

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

DATE: August 7, 2014, for Submission onto the Consent Agenda of the August 19, 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 89 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Roswell Hammond Acquisition, LLC, and is more specifically known as being 6038 Roswell Road. The dedicated right of way totals 2,331.00 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



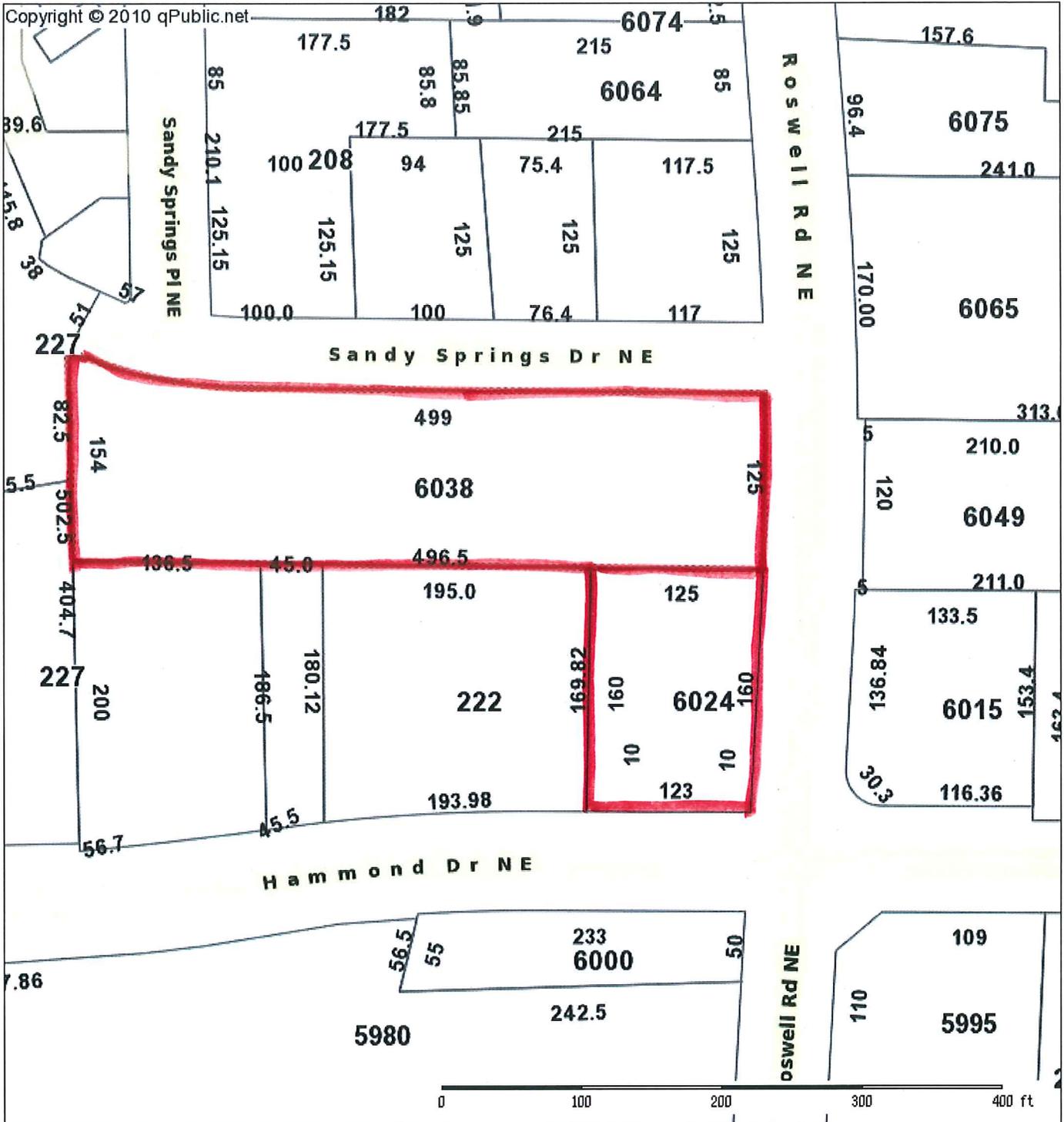
Roswell Hammond Acquisition LLC ROW Deed of Dedication

Parcel: 17 008900080612 Acres: 1.4276

| | | | |
|-------|---|-----------------|---------|
| Name: | ROSWELL HAMMOND ACQUISITION LLC | Land Value: | 2184200 |
| Site: | 6038 ROSWELL RD | Building Value: | 0 |
| Sale: | \$5200000 on 2014-02-20 Reason=9 Qual=U | Misc Value: | |
| Mail: | 1111 KANCE CONCOURSE MIAMI, FL 33154 | Total Value: | 2184200 |
| | | | |
| | | | |



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.



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RIGHT OF WAY DEED
(Dedication by Corporate, LLC, etc. Owner)

STATE OF GEORGIA
FULTON COUNTY

THIS INDENTURE, made this 16th day of JUNE, 2014, between Roswell Hammond Acquisition, 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:

That tract of land lying and being in Land Lot 89 of the 17th District of Fulton County, Georgia and being furthermore described in Deed Book 53455/53581, Page 565-569/93-97. Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

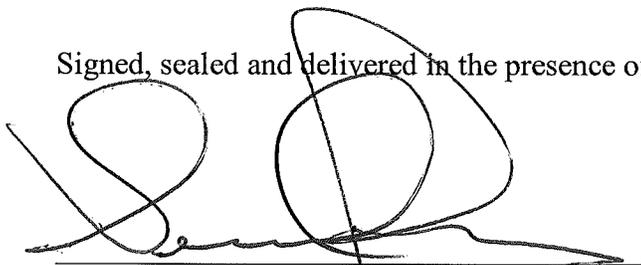
It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Sandy Springs Place, with a total depth of 30 feet from existing centerline and equaling 2,331sf/0.05ac square feet/acres for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.: 201401057.

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.

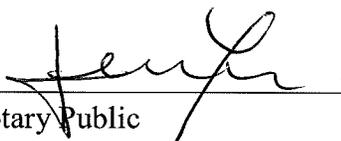
Signed, sealed and delivered in the presence of:

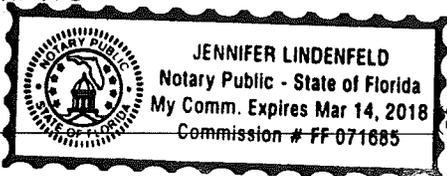

Unofficial Witness

By:  (SEAL)

Name: MORRIS J. KAPLAN

Title: MEMBER


Notary Public

Attest:  (SEAL)

Sandy Springs Place Dedication

A Right-of-Way for dedication, situated in Land Lot 89, 17th District, City of Sandy Springs, Fulton County, Georgia, located within lands now or formerly owned by Roswell Acquisition, LLC, the bearings of which are base on State Plane Grid System (GA West Zone) and being more particularly described as follows:

Commencing at the Southwesterly intersection of the Right-of-Ways of Roswell Road (65' r/w) and Sandy Springs Place (50' r/w), said intersection point being a PK nail, thence along the Southerly Right-of-Way of Sandy Springs Place S87°37'09"W for a distance of 37.87 feet to a No. 4 rebar and the **Point of Beginning** of the Right-of-Way herein described:

Thence leaving said Southerly Right-of-Way and through the said Roswell Acquisition lands for the following courses and distances: S21°00'18"E a distance of 5.28 feet to a non-tangential curve and a No. 4 rebar with cap, Westerly 25.19 feet along an arc to the right—having a radius of 400.00 feet, a chord bearing of S89°12'14"W, and a chord distance of 25.19 feet—to a No. 4 rebar with cap, N88°59'34"W a distance of 323.56 feet to a No. 4 rebar with cap, Northwesterly 109.36 feet along a curve to the right—having a radius of 298.89 feet, a chord bearing of N78°30'41"W, and a chord distance of 108.75 feet—to a point, S58°02'56"W a distance of 8.71 feet to the intersection of described line and the Easterly line of lands now or formerly owned by City Walk Associates, LP; thence along said Easterly line N00°03'02"E a distance of 13.31 feet to a point of cusp of said Easterly line and the Southerly Right-of-Way of Sandy Springs Place (50' r/w) and a PK nail; thence along said Southerly Right-of-Way the following courses and distances: Southeasterly 117.61 feet along an arc to the left—having a radius of 292.23 feet, a chord bearing of S77°27'48"E, and a chord distance of 116.82 feet—to a No. 4 rebar, S88°59'34"E a distance of 323.51 feet to a No. 4 rebar, Easterly 23.25 feet along an arc to the left—having a radius of 392.49 feet, a chord bearing of N89°18'48"E, and a chord distance of 23.25 feet to the **Point of Beginning**.

Containing 0.05 acre or 2,360 square feet as depicted on a Right-of-Way dedication exhibit prepared by Paulson Mitchell, Inc. (Project No. 2013167).



REVISED 02 JUNE 2014--R/W MITER/TYPO CORRECTION

APP REFERENCE #: 20140157

PROJECT NUMBER: 2013167
FILE NAME: 2013167V-EXH.DWG
FIELD WORK DATE: 17 SEPTEMBER 2014
DRAW DATE: 28 MAY 2014
DRAWN BY: KPM
CHECKED BY: DDR
SHEET 1 OF 2

RIGHT OF WAY DEDICATION EXHIBIT FOR

CITY OF SANDY SPRINGS

LAND LOT 89~17TH DISTRICT
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA

PAULSON MITCHELL
INCORPORATED

LAND PLANNERS
ENGINEERS • SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A MILL STREET
SUITE 200
ROSWELL, GEORGIA 30075
VOICE 770.650.7685
FAX 770.650.7684
www.paulsonmitchell.com

I:\2013\2013167\0 SURVEY\2013167V-EXH, SCHEME PMI.STB,KRISTOPHER MANLEY, 02--Jun-14 10:15:24 AM

CITY WALK ASS. LP
DB 44879 PG 435
TAX ID: 17008900081933

| SYMBOL LEGEND | | | |
|---------------------|--------------------------------------|-----|--------------------|
| ○ | PROPERTY CORNER FOUND | | |
| ● | PROPERTY CORNER SET (NO. 4 RB W/CAP) | | |
| △ | COMPUTED POINT (NOT MONUMENTED) | | |
| ABBREVIATION LEGEND | | | |
| BK | BOOK | PK | PK MAIL |
| N/F | NOW OR FORMERLY | POB | POINT OF BEGINNING |
| PB | PLAT BOOK | RB | REBAR |
| PG | PAGE | R/W | RIGHT OF WAY |

APP REFERENCE #: 20140157

N/F
ROSWELL HAMMOND ACQUISITION, LLC
DB 53455 PG 565
TAX ID: 17008900080612 &
17008900081123
ZONED: C1
6038 ROSWELL ROAD

TOTAL AREA ALONG
SANDY SPRINGS PLACE
DEDICATED:
0.05 ACRE
(2,360 FT²)

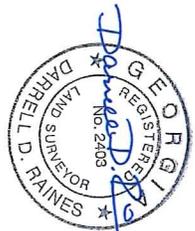
CURVE TABLE

| Curve | Length | Radius | Chord Bearing | Chord Length |
|-------|--------|----------|---------------|--------------|
| C1 | 117.61 | 292.23' | S77° 27' 48"E | 116.82' |
| C2 | 23.25 | 392.49' | S89° 18' 48"W | 23.25' |
| C3 | 125.01 | 4194.10' | S00° 21' 10"E | 125.00' |
| C4 | 164.38 | 4194.10' | S01° 37' 27"W | 164.37' |
| C5 | 30.77 | 210.00' | N46° 29' 11"E | 27.83' |
| C6 | 113.48 | 4183.10' | N01° 38' 19"E | 113.48' |
| C7 | 125.05 | 4178.65' | N00° 00' 20"E | 125.04' |
| C8 | 32.03 | 200.0' | N46° 43' 34"W | 28.72' |
| C9 | 25.19 | 400.00' | S89° 12' 14"W | 25.19' |
| C10 | 109.36 | 298.89' | N78° 30' 41"W | 108.75' |

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N87° 37' 09"E | 37.87' |
| L2 | S36° 10' 27"W | 9.61' |
| L3 | N89° 26' 35"W | 24.54' |
| L4 | N02° 17' 22"E | 10.10' |
| L5 | N00° 45' 26"E | 2.95' |
| L6 | S89° 26' 35"E | 32.92' |
| L7 | S00° 33' 26"W | 3.04' |
| L8 | S89° 26' 35"E | 38.00' |
| L9 | N00° 33' 26"E | 3.04' |
| L10 | S89° 26' 35"E | 22.08' |
| L11 | S00° 33' 26"W | 13.04' |
| L12 | S89° 39' 36"W | 4.51' |
| L13 | N21° 00' 18"W | 5.28' |
| L14 | S38° 02' 56"W | 8.71' |
| L15 | N00° 03' 02"E | 13.31' |

GRID NORTH
(WEST ZONE)

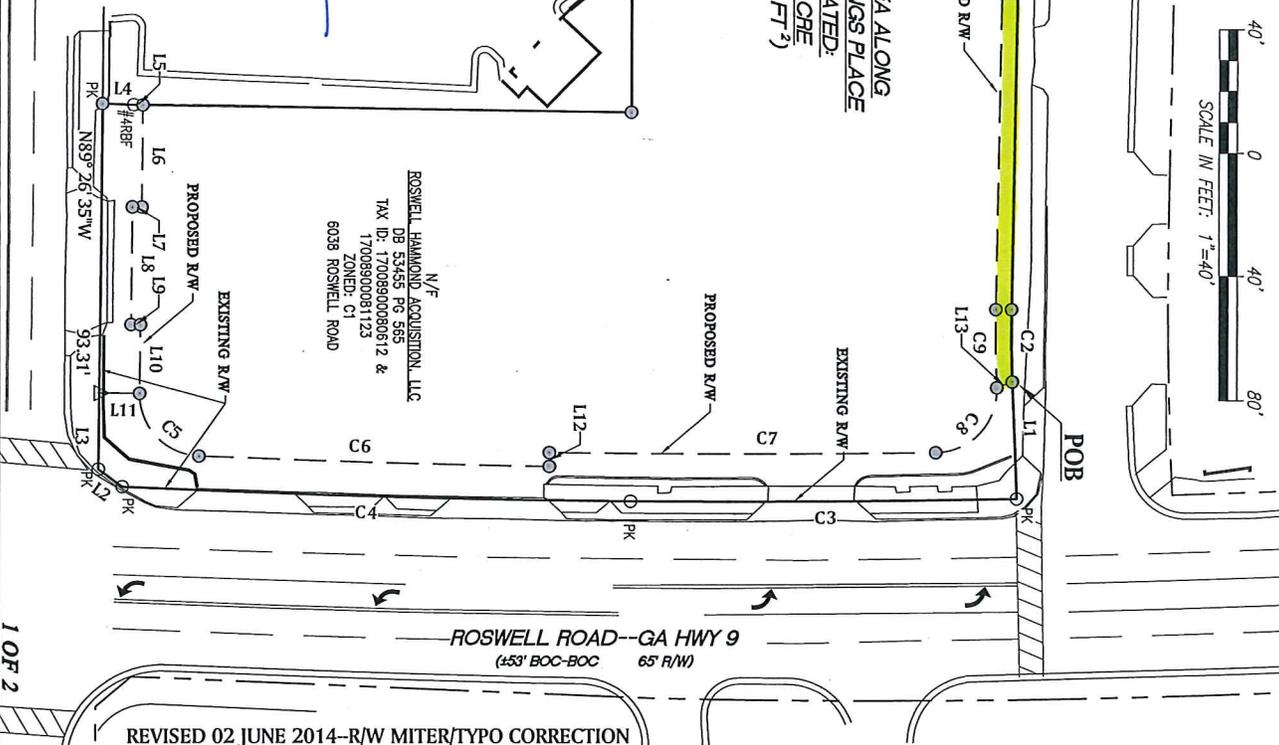


N/F
BURGER KING CORPORATION
DB 23895 PG 88
TAX ID: 17008900080943

N/F
ROSWELL HAMMOND ACQUISITION, LLC
DB 53455 PG 565
TAX ID: 17008900080612 &
17008900081123
ZONED: C1
6038 ROSWELL ROAD

HAMMOND DRIVE
(652 BOC-BOC)
VARIABLE R/W PER D12, S041 PG 463

SANDY SPRINGS PLACE
(627 ASPHALT 50' R/W)



REVISED 02 JUNE 2014--R/W MITER/TYPO CORRECTION

RIGHT OF WAY DEDICATION EXHIBIT FOR

| |
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| FILE NAME: 2013167V-EXH.DWG |
| FIELD WORK DATE: 17 SEPTEMBER 2013 |
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CITY OF SANDY SPRINGS~FULTON COUNTY, GEORGIA

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www.paulson-mitchell.com

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 89 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 Roswell Hammond Acquisition, LLC on property more particularly described as 6038 Roswell 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 2,331.00 Square Feet of Right of Way along Sandy Springs Place in land lot 89 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 19th day of August, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)