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## CITY COUNCIL AGENDA ITEM

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**TO:** Mayor & City Council                      **DATE:** June 10, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Consideration of the Acceptance of a Dedication of a Right of Way Deed as Part of the Zoning Requirements (6180 Roswell Road, Mt. Vernon Hwy frontage)

**MEETING DATE:** For Submission onto the June 17, 2014, City Council Regular Meeting Agenda

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**BACKGROUND INFORMATION:** (Attach additional pages if necessary)

See attached:

Memorandum  
Exhibits  
Resolution

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**APPROVAL BY CITY MANAGER:**                     JMM                     APPROVED

**PLACED ON AGENDA FOR:**                     6/17/2014                    

**CITY ATTORNEY APPROVAL REQUIRED:** (  ) YES      (  ) NO

**CITY ATTORNEY APPROVAL:**                     SMP                    

**REMARKS:**



TO: John McDonough, City Manager

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

DATE: June 5, 2014, for Submission onto the Consent Agenda of the June 17, 2014 City Council Meeting

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

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**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 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, JP Morgan Chase Bank National Association, and is more specifically known as being 6180 Roswell Road. The dedicated right of way totals 5,306.00 square feet along Mt. Vernon Highway 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



Lakes/Rivers from US Census Dept, may not match parcels exactly

JP Morgan Chase Bank NA / ROW Dedication along Mt. Vernon Hwy.			
Parcel: 17 008900060408 Acres: 0			
Name:	GEORGIA ALABAMA COMMERCIAL INVESTMENTS	Land Value:	1296800
Site:	6180 ROSWELL RD	Building Value:	214300
Sale:	\$2950000 on 2013-06-28 Reason=MA Qual=U	Misc Value:	
Mail:	2875 UNIVERSITY PKWY LAWRENCEVILLE, GA 30043	Total Value:	1511100



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: 05/28/14 : 12:52:23



**JP Morgan Chase Bank NA / ROW Dedication along Mt. Vernon Hwy.**

Parcel: 17 008900060408 Acres: 0

<b>Name:</b>	GEORGIA ALABAMA COMMERCIAL INVESTMENTS	<b>Land Value:</b>	1296800
<b>Site:</b>	6180 ROSWELL RD	<b>Building Value:</b>	214300
<b>Sale:</b>	\$2950000 on 2013-06-28 Reason=MA Qual=U	<b>Misc Value:</b>	
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Date printed: 05/28/14 : 12:51:14

PLEASE RETURN TO:  
City Clerk's Office  
Sandy Springs City Hall  
7840 Roswell Road Bldg 500  
Sandy Springs, Georgia 30350

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

**STATE OF GEORGIA**  
**FULTON COUNTY**

THIS INDENTURE, made this 12th day of May, 2014, between JP Morgan Chase Bank National Association, 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 17 th District of Fulton County, Georgia and being furthermore described in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.  
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 MT. Vernon Hwy., with a total depth of 28.9 feet from existing centerline and equaling 5305.7/0.12 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.: 201203180.

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:

JPMorgan Chase Bank, National Association

*[Signature]*  
Unofficial Witness

By: *John Beattie, VP JPMorgan Chase Bank, N.A.* (SEAL)

Name: John Beattie

Title: Vice President

**John Beattie**  
**Vice President - Deal Manager**

*Eileen Motta*  
Notary Public

Attest: *Mary Ann Spadei* (SEAL)

EILEEN F. MOTTA  
NOTARY PUBLIC - STATE OF FLORIDA  
COMMISSION # EE095196  
MY COMMISSION EXPIRES MAY 17, 2015

Legal Description.

**Mount Vernon Highway**

Right of Way Parcel & 10-Foot Trail Parcel  
6180 Roswell Road

ALL That tract or parcel of land lying or being in Land Lot 89, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of Mount Vernon Highway (right-of-way varies) and the westerly right-of-way line of Roswell Road (right-of-way varies) said point being the POINT OF COMMENCEMENT;

THENCE along the said southerly right-of-way line of Mount Vernon Highway South 78 degrees 52 minutes 22 seconds West, a distance of 36.26 feet to the POINT OF BEGINNING.

THENCE leaving the said southerly right-of-way line of Mount Vernon Highway proceed South 11 degrees 07 minutes 37 seconds East, a distance of 14.77 feet to a point;

THENCE South 78 degrees 59 minutes 27 seconds West, a distance of 127.00 feet to a point;

THENCE South 79 degrees 28 minutes 00 seconds West, a distance of 74.00 feet to a point;

THENCE South 78 degrees 22 minutes 50 seconds West, a distance of 39.60 feet to a point;

THENCE South 04 degrees 17 minutes 08 seconds West, a distance of 161.26 feet to a point on the northerly property line of now or formerly WB Holdings-Hilderbrand, LLC;

THENCE along the said northerly property line South 81 degrees 47 minutes 38 seconds West, a distance of 10.24 feet to a property corner found, a Georgia Power Company concrete monument;

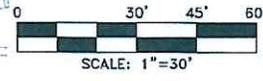
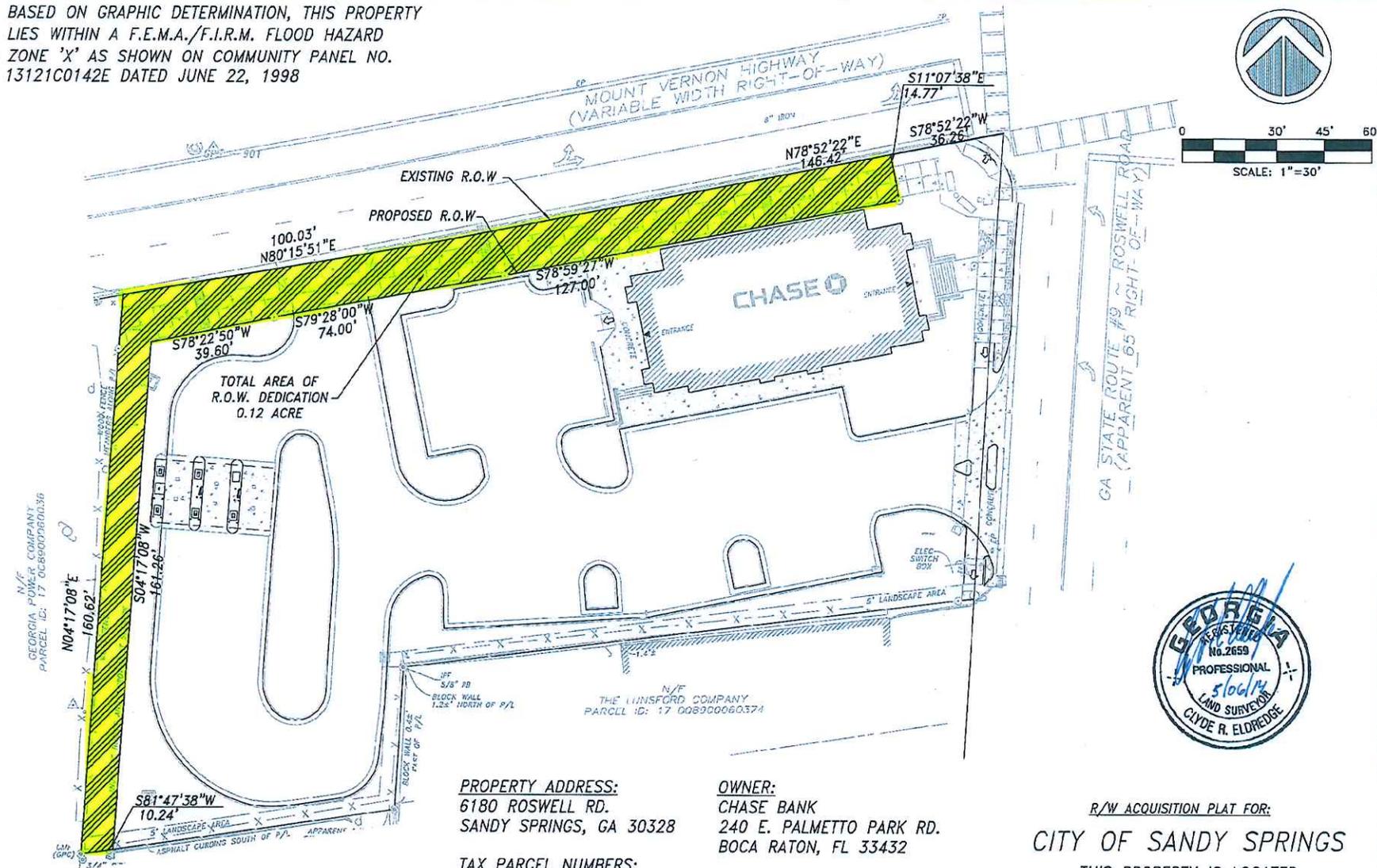
THENCE leaving the said northerly property line proceed along the easterly property line of now or formerly Georgia Power Company North 04 degrees 17 minutes 08 seconds East, a distance of 177.84 feet to a point on the southerly right-of-way line of Mount Vernon Highway (right-of-way varies);

THENCE along the said southerly right-of-way line of Mount Vernon Highway North 80 degrees 15 minutes 51 seconds East, a distance of 100.03 feet to a point;

THENCE continuing along the said southerly right-of-way line of Mount Vernon Highway North 78 degrees 52 minutes 22 seconds East, a distance of 146.42 feet to the POINT OF BEGINNING.

Said tract or parcel of land containing 5,306 Square Feet or 0.122 Acres, more or less.

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY LIES WITHIN A F.E.M.A./F.I.R.M. FLOOD HAZARD ZONE 'X' AS SHOWN ON COMMUNITY PANEL NO. 13121C0142E DATED JUNE 22, 1998



REVISIONS


CHASE - MT. VERNON  
 PREPARED FOR  
 WAKEFIELD BEASLEY AND ASSOCIATES  
 6180 ROSWELL ROAD  
 LL-18 - 7TH JUD DISTRICT  
 SANDY SPRINGS, GA

LAI ENGINEERING  
 1800 PARKWAY PL. STE. 710  
 MARIETTA, GA 30067  
 PHONE: 770-453-0857  
 FAX: 770-453-0852  
 WWW.LAIENGINEERING.COM



**PROPERTY ADDRESS:**  
 6180 ROSWELL RD.  
 SANDY SPRINGS, GA 30328

**TAX PARCEL NUMBERS:**  
 17 008900060325  
 17 008900060408

**OWNER:**  
 CHASE BANK  
 240 E. PALMETTO PARK RD.  
 BOCA RATON, FL 33432

R/W ACQUISITION PLAT FOR:  
**CITY OF SANDY SPRINGS**

THIS PROPERTY IS LOCATED  
 IN LANDLOT 89, DISTRICT 17  
 CITY OF SANDY SPRINGS  
 FULTON COUNTY, GA 30328

DATE: 05-06-2014

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF PROPERTY SURVEYS IN THE STATE OF GEORGIA.

SANDY SPRINGS COMMUNITY DEVELOPMENT DEPARTMENT FILE NO.: 201203180

J20 NO.12028  
 DWG. NAME:

SHEET:  
**EX B**

DATE: 05-06-2014  
 COPY/PLN: 2014

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 17<sup>th</sup> 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 JP Morgan Chase Bank National Association on property more particularly described as 6180 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 5,306.00 Square Feet of Right of Way along Mt. Vernon Highway in land lot 89 of the 17<sup>th</sup> District, Fulton County, City of Sandy Springs, Georgia.

**RESOLVED** this the 17<sup>th</sup> day of June, 2014.

Approved:

\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)