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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, Roswell Rd 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:                     SMJ                    

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 1,431.00 square feet along Roswell Road 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

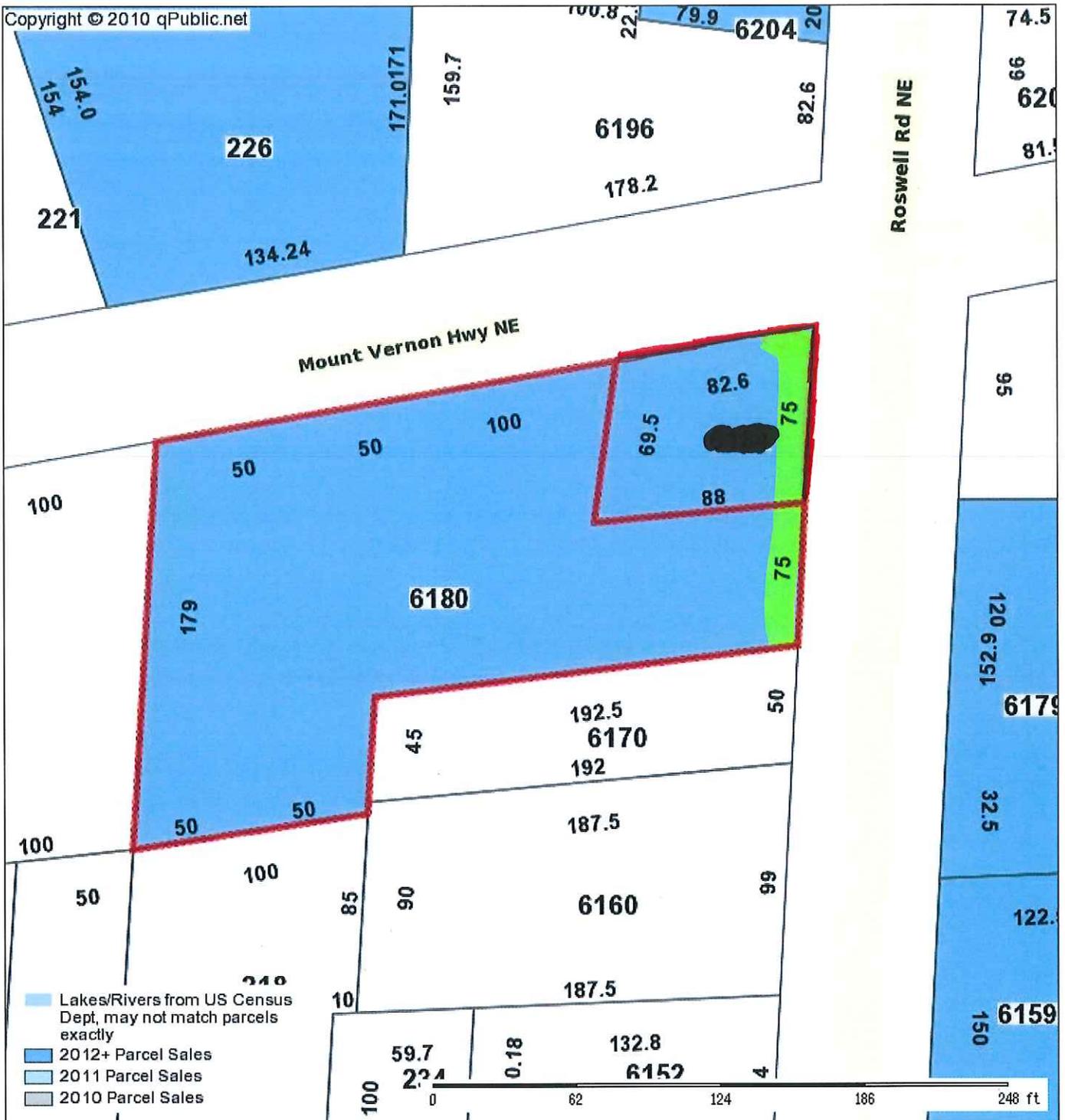


**JP Morgan Chase Bank NA / ROW Dedication along Roswell Road**

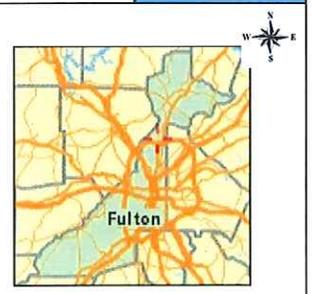
Parcel: 17 008900060408 Acres: 0			
Name:	GEORGIA ALABAMA COMMERCIAL INVESTMENTS	Land Value:	1296800
Site:	6180 ROSWELL RD	Building Value:	214300
Sale:	\$2950000 on 2013-06-28 Reason=MA Qual=U	Misc Value:	
Mail:	2875 UNIVERSITY PKWY LAWRENCEVILLE, GA 30043	Total Value:	1511100



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.



JP Morgan Chase Bank NA / ROW Dedication on Roswell Road			
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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 5th 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 Roswell Road, with a total depth of 28.9 feet from existing centerline and equaling 1,431/0.033 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.

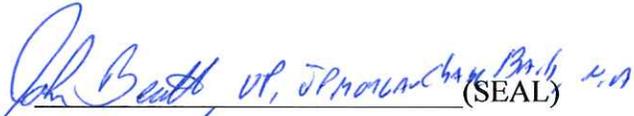
Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

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

  
\_\_\_\_\_  
Unofficial Witness

By:  (SEAL)

Name: John Beattie

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

Title: Vice President

  
\_\_\_\_\_  
Notary Public

Attest:  (SEAL)

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

Legal Description.

**Roswell Road**

Right-of-Way Parcel

6180 Roswell Road

ALL That tract or parcel of land lying or being in Land Lot 89, of the 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 BEGINNING;

THENCE along the said westerly right-of-way line of Roswell Road South 03 degrees 24 minutes 08 seconds West, a distance of 148.17 feet to a point;

THENCE leaving the said westerly right-of-way line of Roswell Road proceed South 82 degrees 55 minutes 30 seconds West, a distance of 4.99 feet to a point;

THENCE North 02 degrees 35 minutes 20 seconds East, a distance of 106.61 feet to a point;

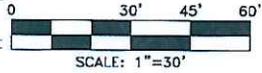
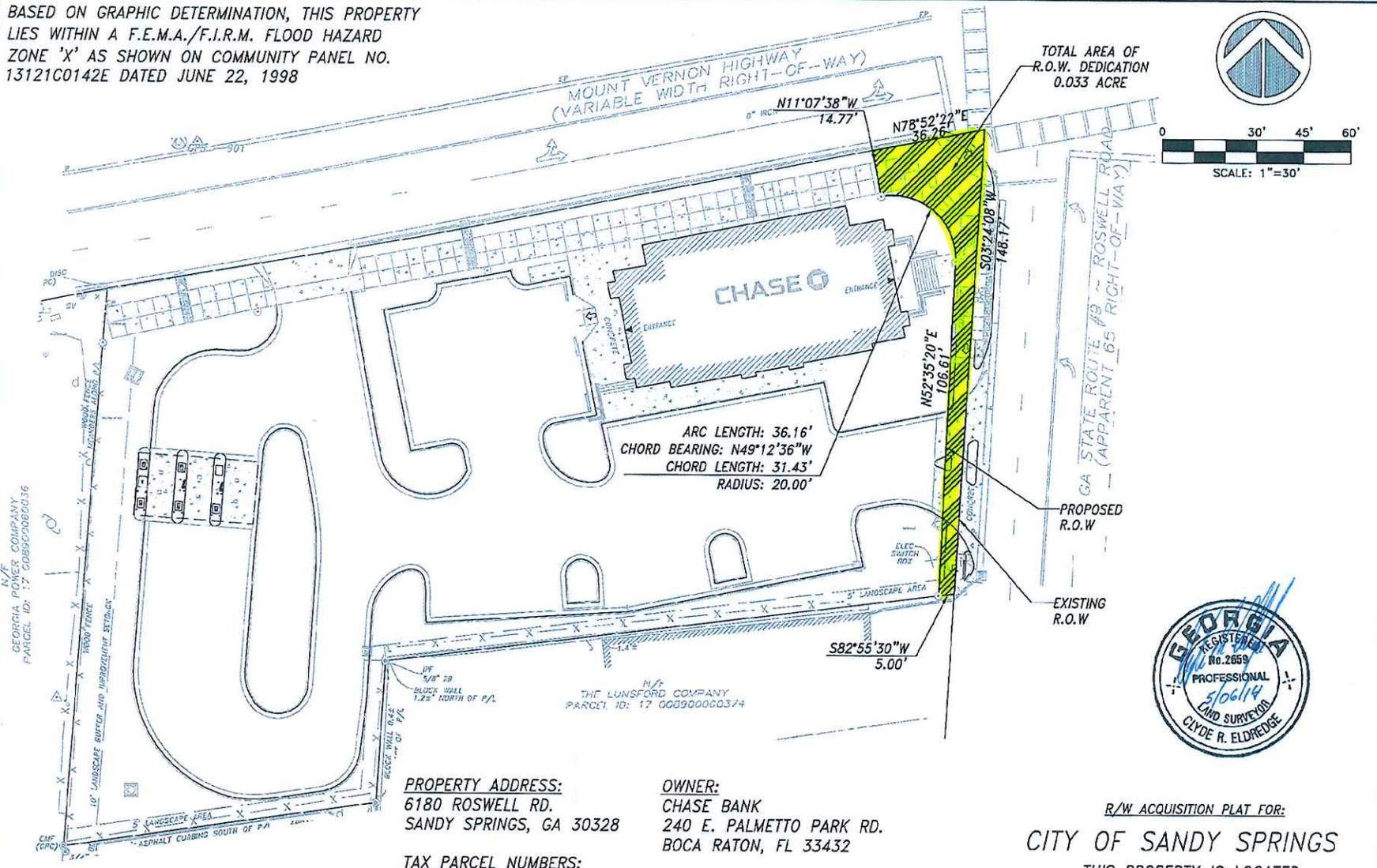
THENCE northwesterly and westerly a distance of 36.16 feet along the arc of a curve to the left, having a radius of 20.00 feet and being subtended by a chord which bears North 49 degrees 12 minutes 36 seconds West, for a distance of 31.43 feet, to a point;

THENCE North 11 degrees 07 minutes 37 seconds West, a distance of 14.77 feet to a point on the southerly right-of-way line of Mount Vernon Highway;

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

Said tract or parcel of land containing 1,431 Square Feet or 0.033 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

NO.	DESCRIPTION

CHASE - MT. VERNON  
 PREPARED FOR  
 WAKEFIELD BEASLEY AND ASSOCIATES  
 680 ROSWELL ROAD  
 ATLANTA, GEORGIA

LA ENGINEERING  
 PARKWAY CENTER - STE. 720  
 1800 PARKWAY PL. - STE. 720  
 SANDY SPRINGS, GA 30328  
 PHONE: 770-423-0807  
 FAX: 770-423-1262  
 WWW.LAENGINEERING.COM



JOB NO.: 20214  
 DWG NAME:

SHEET:  
**EX B**

DATE: 05-06-2014  
 Copyright © 2014

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

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

TAX PARCEL NUMBERS:  
 17 008900060325  
 17 008900060408

SANDY SPRINGS COMMUNITY DEVELOPMENT DEPARTMENT FILE NO.: 201203180

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.

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 1,431.00 Square Feet of Right of Way along Roswell Road 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)