



CITY COUNCIL AGENDA ITEM

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 (320 & 336 Mt. Vernon Highway)

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

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

- Memorandum
- Exhibits
- Resolution

APPROVAL BY CITY MANAGER: JMM APPROVED

PLACED ON AGENDA FOR: 6/17/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]

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.

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 133 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Mt. Vernon Estates, LLC, and is more specifically known as being 320 and 336 Mt. Vernon Highway. The dedicated right of way totals 8,410.096 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

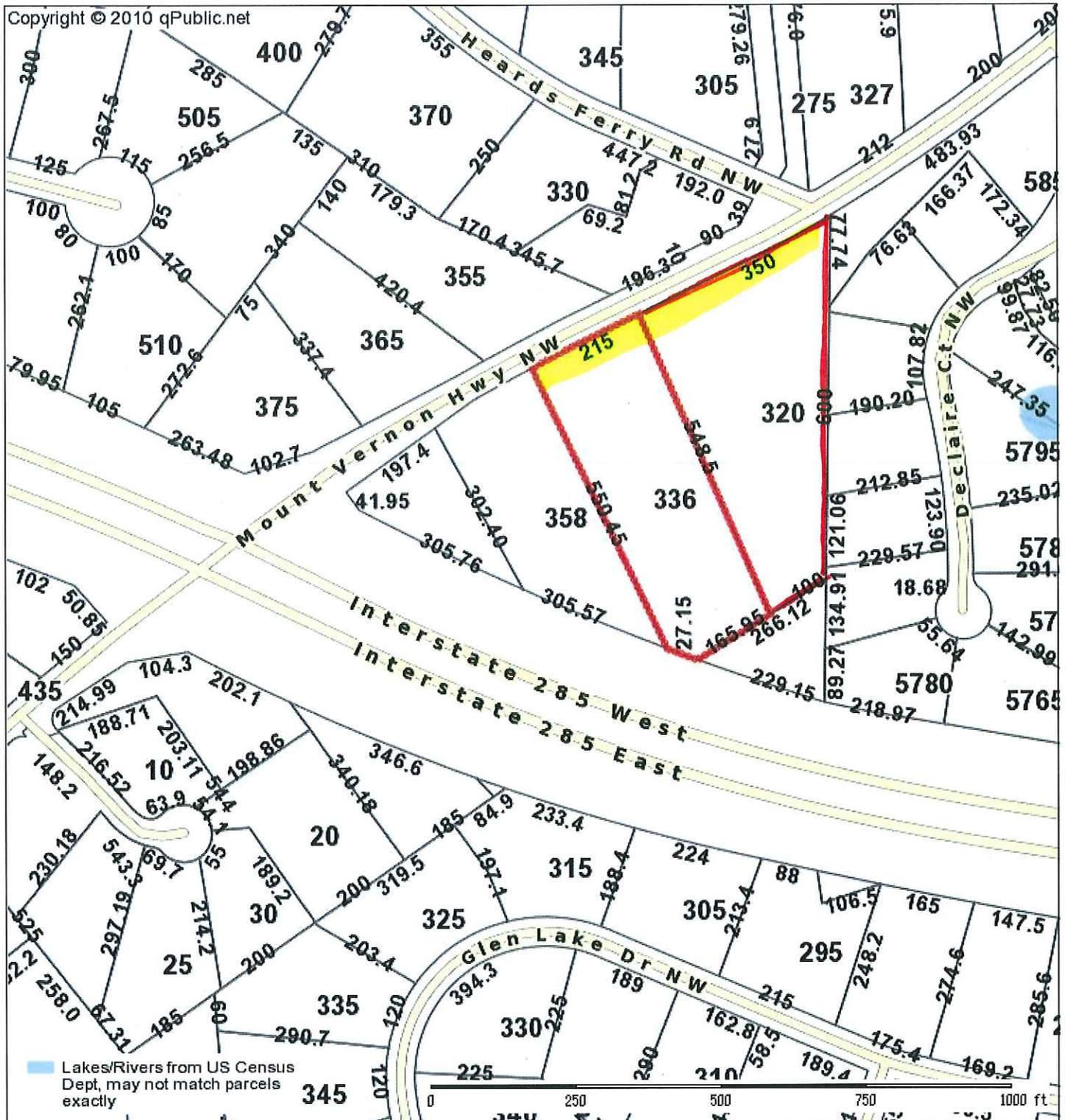


Mt. Vernon Estates, LLC / ROW Dedication

Parcel: 17 0133 LL0393 & 17 0133 LL0195

| | | | |
|-------|-----------------------------------|-----------------|--|
| Name: | | Land Value: | |
| Site: | 336 & 320 MOUNT VERNON HWY | Building Value: | |
| Sale: | \$0 on 1998-06-22 Reason=T Qual=U | Misc Value: | |
| Mail: | | Total Value: | |
| | | | |
| | | | |





Mt. Vernon Estates, LLC / ROW Dedication

Parcel: 17 0133 LL0393 & 17 0133 LL0195

| | | | |
|-------|-----------------------------------|-----------------|--|
| Name: | | Land Value: | |
| Site: | 336 MOUNT VERNON HWY | Building Value: | |
| Sale: | \$0 on 1998-06-22 Reason=T Qual=U | Misc Value: | |
| Mail: | | Total Value: | |
| | | | |
| | | | |



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.

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 14th day of MAY, 2014, between MT. VERNON ESTATES, 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 133 of the 17th District of Fulton County, Georgia and being furthermore described in Deed Book 53710, Page 488, 489, 498, 499. 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 Highway with a total depth of 40 feet from existing centerline and equaling 8,410.096 / 0.193 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.: 201401357.

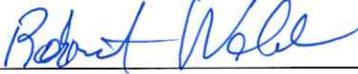
To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

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: Robert Webb
MT. VERNON ESTATES, LLC

Title: MANAGER


Notary Public

Attest:  (SEAL)

EXHIBIT A

320-336 MOUNT VERNON HIGHWAY - 193243

All that tract or parcel of land lying and being in land lot 133 of the 17th District, Fulton County; and being more particularly described as follows:

To find the Point Of Beginning; Commence at the intersection of the southeastern Right of way line of Mount Vernon Highway and the northwest Right of way line of Long Island Road; Thence move along the southeast Right of way line of Mount Vernon Highway in a southwesterly direction a distance of 1,660.00' to a 1/2" Rebar Set; which said 1/2" Rebar Set marks the Point Of Beginning; Thence leaving said southeast Right of way line of Mount Vernon Highway S 01°44'08" E a distance of 16.84' to a Point; Thence S 61°13'48" W a distance of 342.32' to a Point; Thence S 61°00'47" W a distance of 214.40' to a Point; Thence N 29°43'06" W a distance of 15.00' to a 3/4" Steel Rod Found at the southeast Right of way line of Mount Vernon Highway; Thence along the southeast Right of way line of Mount Vernon Highway N 61°00'47" E a distance of 214.62' to a 3/8" Rebar Found; Thence along said southeast Right of way line N 61°13'48" E a distance of 350.00' to a 1/2" Rebar Set; which said 1/2" Rebar Set marks the Point Of Beginning, having an area of 8410.096 square feet, 0.193 acres

EXHIBIT B

RIGHT OF WAY SURVEY

LEGEND

These standard symbols may be found in the drawing.

- 1/2" REBAR SET
- IRON PIN FOUND



CD File # 2014 01357

MOUNT VERNON HIGHWAY
VARIABLE RIGHT OF WAY - 35 M.P.H. SPEED LIMIT

PROPOSED RIGHT OF WAY DEDICATION
8410.096 SQ. FT.
0.193 ACRES

- ADDITIONAL REFERENCES**
- DEED BOOK 24877, PAGE 2
 - DEED BOOK 38421, PAGE 13
 - PLAT BOOK 37, PAGE 15
 - PLAT BOOK 154, PAGE 16
 - PLAT BOOK 199, PAGE 136

- NOTES**
1. EQUIPMENT USED; LEICA 1200 ROBOTIC TOTAL STATION AND ALLEGRO 604 DATA COLLECTOR.
 2. SOFTWARE USED; CARLSON SURVEY 2013 AND CARLSON SURVE.



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. Secs. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in land lot 133 of the 17th District, Fulton County; and being more particularly described as follows:

To find the Point Of Beginning; Commence at the intersection of the southeastern Right of way line of Mount Vernon Highway and the northwest Right of way line of Long Island Road; Thence move along the southeast Right of way line of Mount Vernon Highway in a southeasterly direction a distance of 1,560.00' to a 1/2" Rebar Set; which said 1/2" Rebar Set marks the Point Of Beginning; Thence leaving said southeast Right of way line of Mount Vernon Highway S 01°44'08" E a distance of 16.84' to a Point; Thence S 61°13'48" W a distance of 342.32' to a Point; Thence S 61°00'47" W a distance of 214.40' to a Point; Thence N 29°43'06" W a distance of 13.00' to a 3/4" Steel Rod Found at the southeast Right of way line of Mount Vernon Highway; Thence along the southeast Right of way line of Mount Vernon Highway N 61°00'47" E a distance of 214.62' to a 3/8" Rebar Found; Thence along said southeast Right of way line N 61°13'48" E a distance of 350.00' to a 1/2" Rebar Set; which said 1/2" Rebar Set marks the Point Of Beginning, having an area of 8410.096 square feet, 0.193 acres



155 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

| | | | | | | |
|----------------------|-----------------------|--|---------------|--------------|-------------------|--|
| JOB NUMBER 193243:11 | DRAWING NUMBER F-3065 | SURVEY PLAT FOR: 320-336 MOUNT VERNON HIGHWAY, SANDY SPRINGS GEORGIA 30328 | | DATE: 5/8/14 | SCALE: 80' | |
| | | MT VERNON ESTATES, LLC | | | | |
| | | LAND LOT: 133 | 17th DISTRICT | SECTION | FULTON COUNTY, GA | |
| | | LOT: PART OF 10, 11 AND PART OF RESERVE TRACT TO REAR | | UNIT: | PHASE: | |
| | | SUBDIVISION: SUBDIVISION FOR HEWITT W. CHAMBERS | | | | |
| DEED BOOK , PAGE | | PARTY CHIEF: J.J. | | SHEET 1 OF 1 | | |
| PLAT BOOK , PAGE | | DRAFTER: S.L. | | | | |

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECYFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 133 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 Mt. Vernon Estates, LLC, on property more particularly described as 320 & 336 Mt. Vernon Highway in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 8,410.096 Square Feet of Right of Way along Mt. Vernon Highway in land lot 133 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 17th day of June, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)