





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 16 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, Scottish Rite Children's Medical Center, Inc., and is more specifically known as being 1001 Johnson Ferry Road. The dedicated right of way totals 2,308.00 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:**

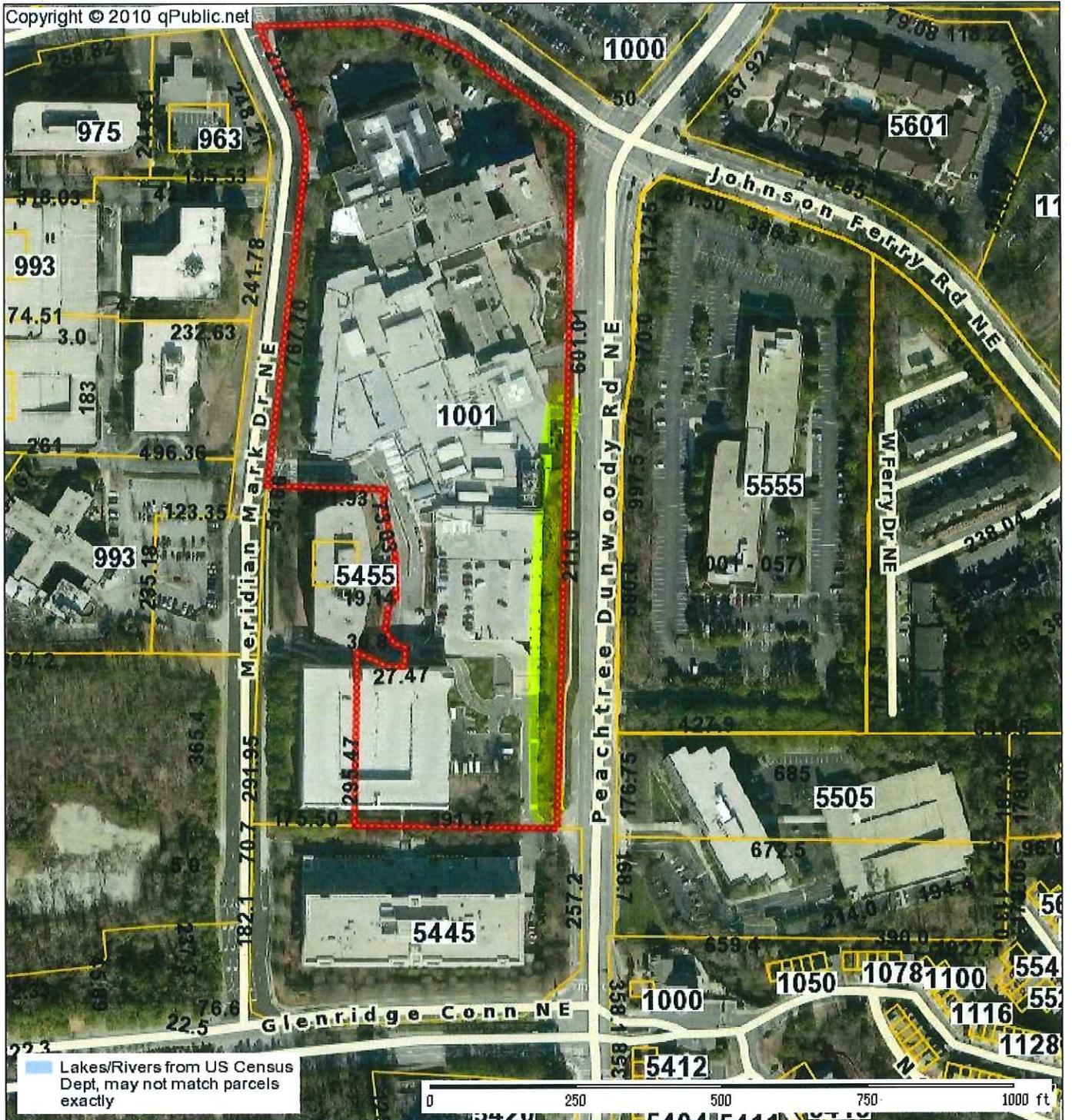
N/A

**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

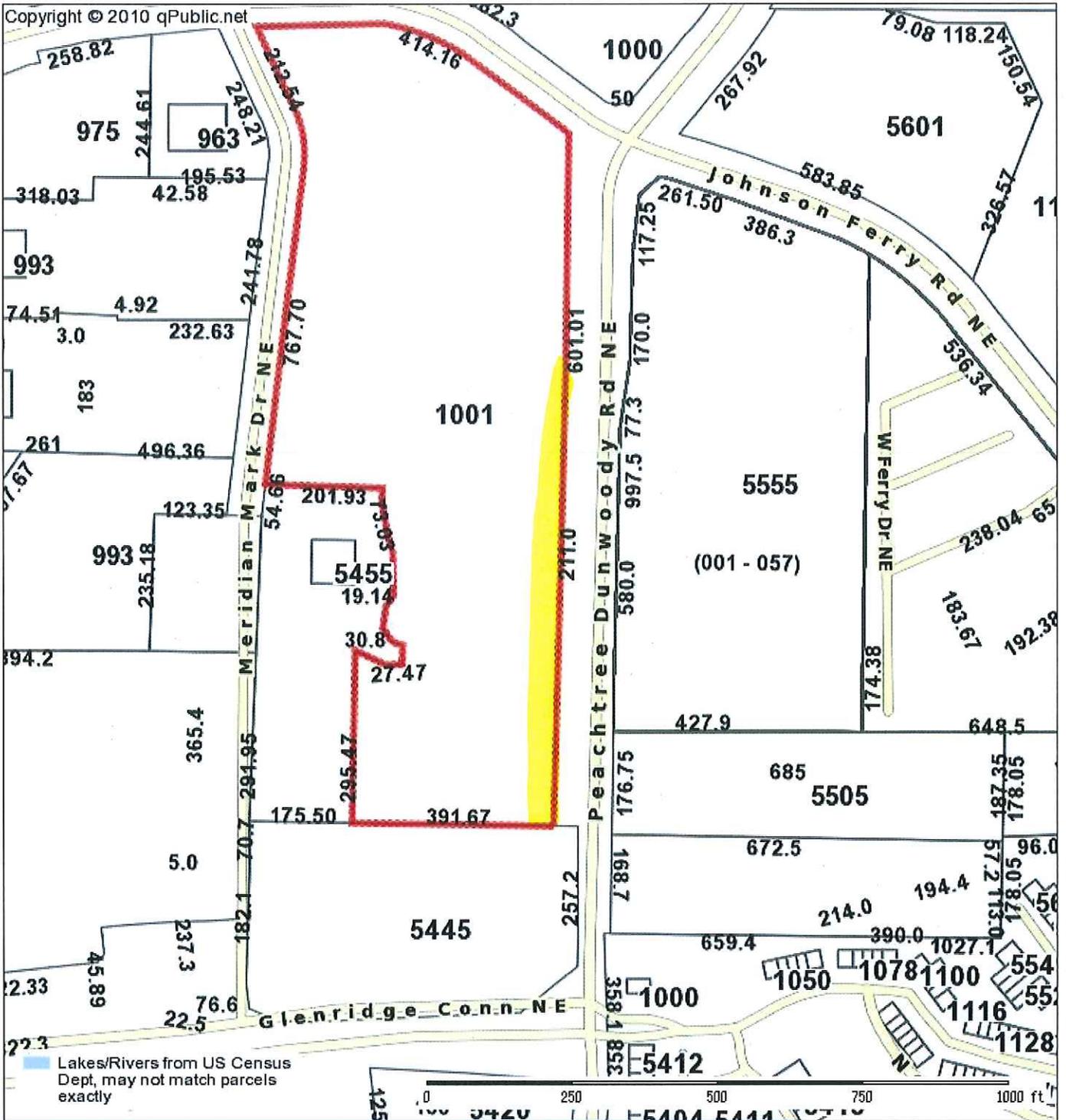


Lakes/Rivers from US Census Dept, may not match parcels exactly

Scottish Rite Children's Medical Center, Inc. / ROW Dedication			
Parcel: 17 0016 LL1641 Acres: 0			
Name:	SCOTTISH RITE HOSPITAL FOR	Land Value:	5400000
Site:	1001 JOHNSON FERRY RD	Building Value:	16054100
Sale:		Misc Value:	
Mail:	1665 TULLIE CIR	Total Value:	21454100
	ATLANTA, GA 30329-2303		



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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 Date printed: 05/28/14 : 13:44:07

PLEASE RETURN TO:  
City Clerk's Office  
Sandy Springs City Hall  
7840 Roswell Road Bldg 600  
Sandy Springs, Georgia 30350

## RIGHT OF WAY DEED

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

THIS INDENTURE, made this 19 day of May, 2014, between Scottish Rite Children's Medical Center, Inc., 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 16 of the 17th District of Fulton County, Georgia and being more particularly described in Exhibit "A" and shown on Exhibit "B," both attached hereto and hereby made part hereof by reference.

It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Peachtree Dunwoody Road, with a total depth of variable feet from existing centerline and equaling 2,308 square feet or 0.0530 acres, as described and shown in Exhibits "A" and "B" attached hereto, for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.: 2013-03925.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple; provided, that, Grantor hereby reserves all existing vehicular and pedestrian ingress, egress and access to and from Peachtree Dunwoody Road and Grantor's remaining property as depicted on said Exhibit "B."

Subject to all easements and matters of record (including that certain Joint Driveway Easement Agreement recorded at Deed Book 21585, Page 339, Fulton County records), Grantor will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever claiming by, through or under Grantor.

IN WITNESS WHEREOF Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Grantor:

**SCOTTISH RITE CHILDREN'S MEDICAL  
CENTER, INC.**

By: (X) Donna W. Hyland

Name: Donna W. Hyland

Title: President & CEO

Attest: Keely Jones (SEAL)

Title: Corporate Secretary

Signed, sealed and delivered in the presence of:

Janice B. Malone  
Unofficial Witness

Lalane Malone  
Notary Public  
LALANE MALONE  
NOTARY PUBLIC, GWINNETT COUNTY, GEORGIA  
MY COMMISSION EXPIRES JUNE 8, 2014

**Exhibit "A"**

Being all that tract or parcel of land lying and being in Land Lot 16, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

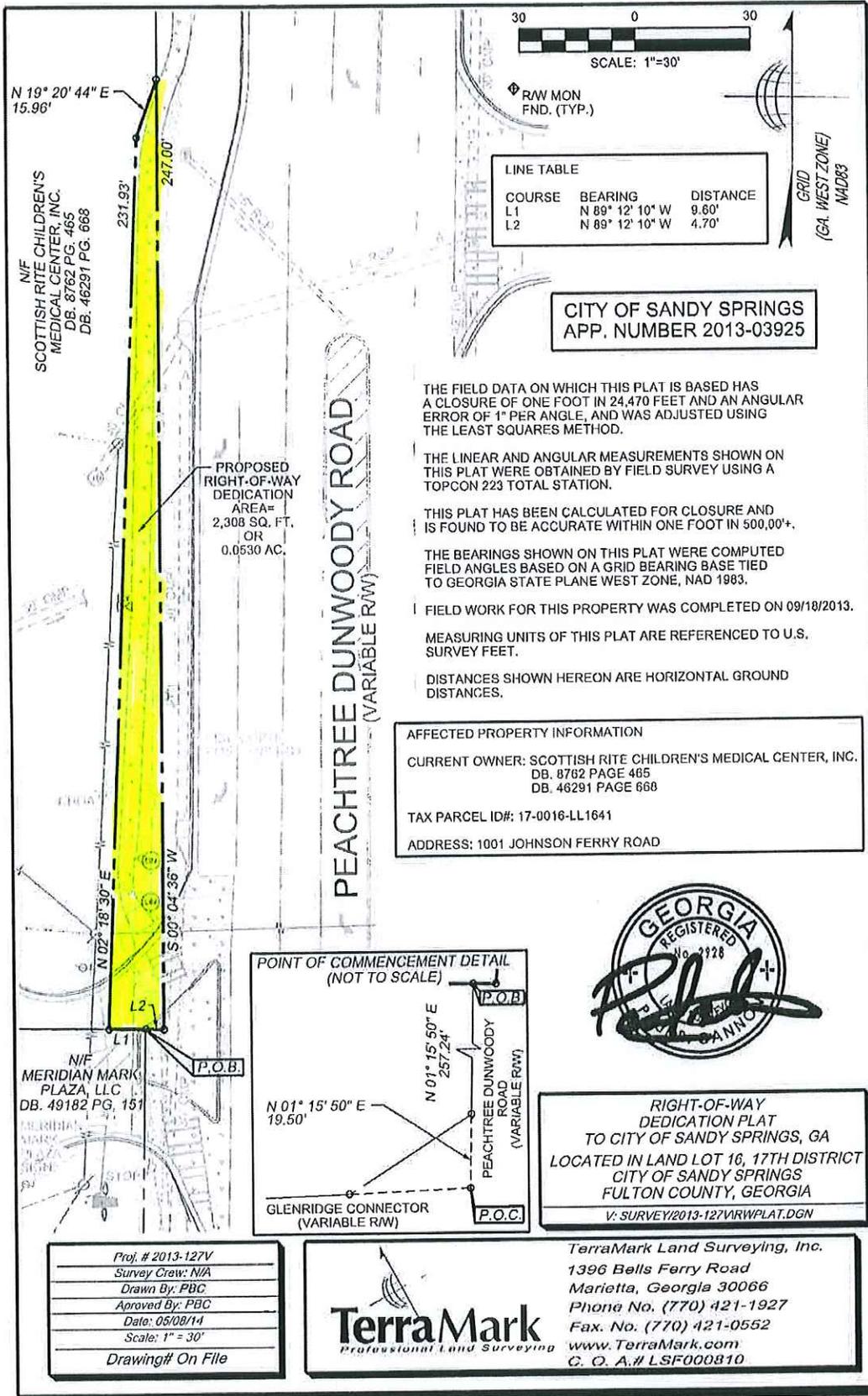
COMMENCING at the intersection of the northerly right-of-way of Glenridge Connector (having an apparent variable public right-of-way) and the westerly right-of-way of Peachtree Dunwoody Road (having an apparent variable public right-of-way) if the aforesaid right-of-ways were extended to intersect. Thence, leaving the aforesaid point North 01° 15' 50" East 19.50 feet to a point on the aforesaid right-of-way of Peachtree Dunwoody Road; thence, continuing with the aforesaid right-of-way of Peachtree Dunwoody Road North 01° 15' 50" East, 257.24 feet to the POINT OF BEGINNING.

Thence, leaving the aforesaid POINT OF BEGINNING as thus established and leaving the aforesaid right of way of Peachtree Dunwoody Road and running with the line now or formerly owned by Meridian Mark Plaza, LLC per Deed Book 49182, Page 151, recorded among the Land Records of Fulton County, Georgia

1. North 89° 12' 10" West, 9.60 feet to a point on proposed right-of-way line of Peachtree Dunwoody Road thence, leaving the aforesaid line of Meridian Mark Plaza, LLC and run along the said proposed right-of-way line
2. North 02° 18' 30" East, 231.93 feet; thence,
3. North 19° 20' 44" East, 15.96 feet to a point on the aforesaid existing right-of-way of Peachtree Dunwoody Road; thence, leaving the proposed right-of-way and continuing with the said existing right-of-way of Peachtree Dunwoody Road
4. South 00° 04' 36" West, 247.00 feet; thence,
5. North 89° 12' 10" West, 4.70 feet to the point of beginning, containing 2,308 square feet or 0.0530 acres of land, more or less.

Described property is subject to all rights-of-way and easements both recorded and unrecorded and matters of record.

# EXHIBIT "B"



STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY  
ON PROPERTY LOCATED IN LAND LOT 16 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 Scottish Rite Children's Medical Center, Inc., on property more particularly described as 1001 Johnson Ferry 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 2,308.00 Square Feet of Right of Way along Peachtree Dunwoody Road in land lots 16 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)