



TO: John McDonough, City Manager

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

DATE: March 20, 2014, for Submission onto the Consent Agenda of the April 1, 2014 City Council Meeting

ITEM: Acceptance of the donation of a Right of Way Deed in connection with the T-6012-3 Powers Ferry Road Sidewalk Project

Recommendation:

Staff recommends that the Mayor and City Council accept the donation of a Right of Way Deed on that tract or parcel of land lying and located in Land Lot 136 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by Catherine Crain Kieffer and the property is located at 4850 Powers Ferry Road, Sandy Springs, Georgia. The right of way donation consists of 464.90 square feet.

Background:

The acquisition of this fee simple right of way from the owner is necessary in order to construct the T-6012-3 Powers Ferry Road Sidewalk Project. The owner has agreed to donate both the necessary fee simple right of way and temporary easements rights to the City.

Discussion:

The owners have elected to donate the necessary land rights needed to build the project.

Alternatives:

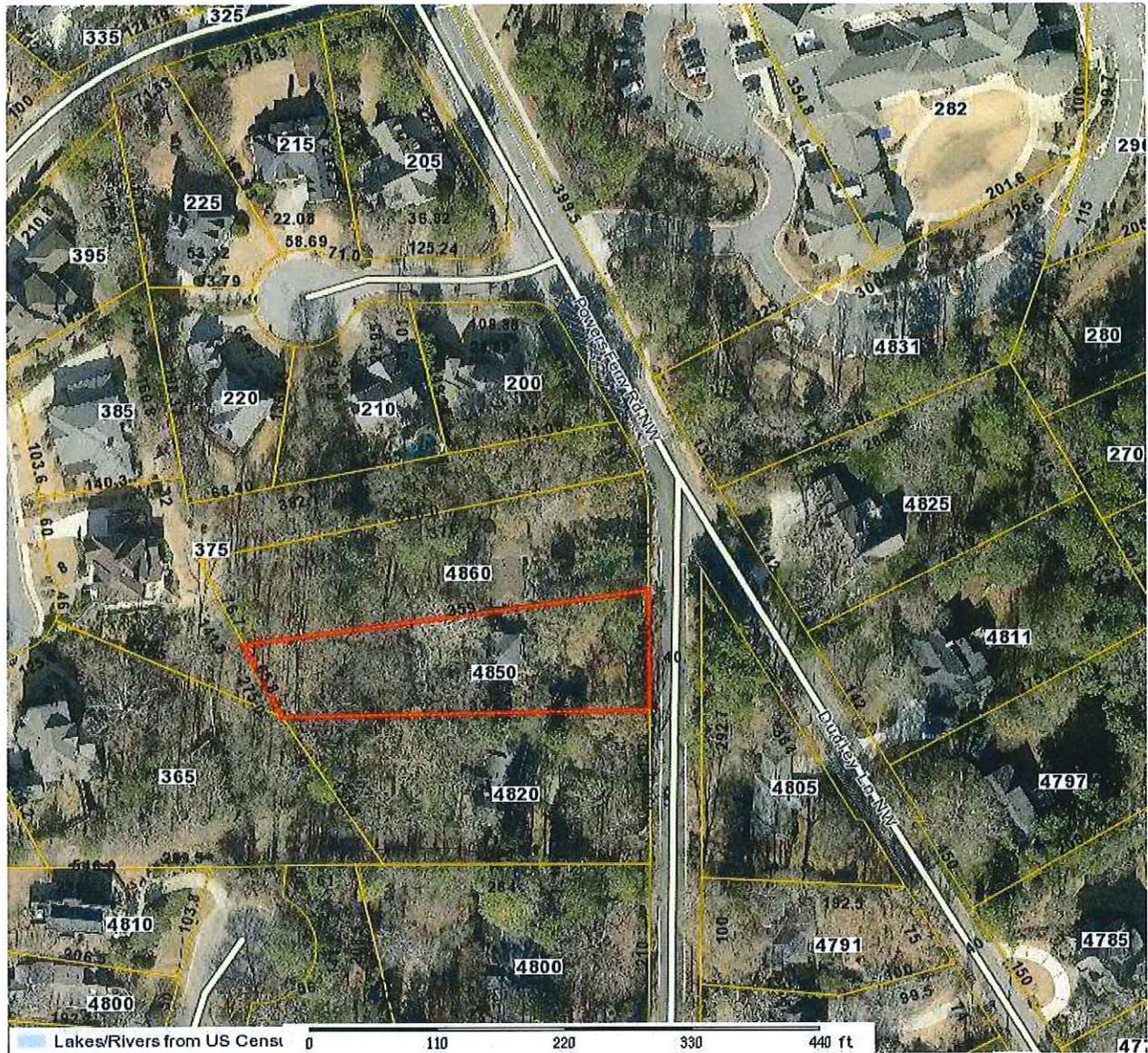
The City could elect to forego the construction of the project.

Financial Impact:

There is no financial impact to the City as the owners are donating the rights of way.

Attachments:

- I. Exhibits
 - Aerial and GIS Maps
 - Executed Right of Way Deed (including Plat and Legal Description)
- II. Resolution



Catherine Crain Kleffer / Right of Way Deed Donation			
Parcel: 17 0136 LL1547 Acres: 0			
Name:	KIEFFER CATHERINE C	Land Value	\$ 219,400
Site:	4850 POWERS FERRY RD	Building Value	\$ 183,600
Sale:		Misc Value	0
Mail:	USA	Total Value:	\$ 403,000
	SANDY SPRINGS, GA 30327		



The Fulton County Assessor's Office 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 NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FULTON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 03/18/14 : 14:29:35

RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 26 day of February, 2014, between CATHERINE CRAIN KIEFFER, parties of the first part, and THE CITY OF SANDY SPRINGS, GEORGIA, a Municipal Corporation of the State of Georgia, party of the second part.

WITNESSETH, That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, in hand paid and the project hereinafter described, party(ies) of the first part do(es) grant and convey unto party of the second part, its successors and assigns, the following property to-wit:

That tract of land lying and being in Land Lot 136 of the 17th Land District of Fulton County, Georgia, as described in Deed Book# 4954, Page# 266, and more particularly described as follows:

See Exhibits "A" and "B"

It is the intent of both parties that the City of Sandy Springs, GA shall acquire a total of 464.90 square feet of fee simple right of way for the purpose of construction of a sidewalk along Powers Ferry Road.

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

Party(ies) of the first part will forever warrant and defend the title to the bargained premises unto party of the second party, its successors and assigns against the claims of the persons whomsoever.

IN WITNESS WHEREOF, parties of the first part has(have) hereunto set its/his/her/their hand(s) and seal (s) the day and year above written.

Signed, sealed and delivered
in the presence of:

Wardaway
WITNESS

Catherine Crain Kieffer (L.S.)
CATHERINE CRAIN KIEFFER

Kerry E. Missel
NOTARY PUBLIC

**Kerry E Missel
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires July 18, 2015**

EXHIBIT "A"

CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
PROJECT: T-6012-3 / POWERS FERRY ROAD SIDEWALKS
PARCEL NO. 13
4850 POWERS FERRY ROAD

REQUIRED RIGHT-OF-WAY LEGAL DESCRIPTION:

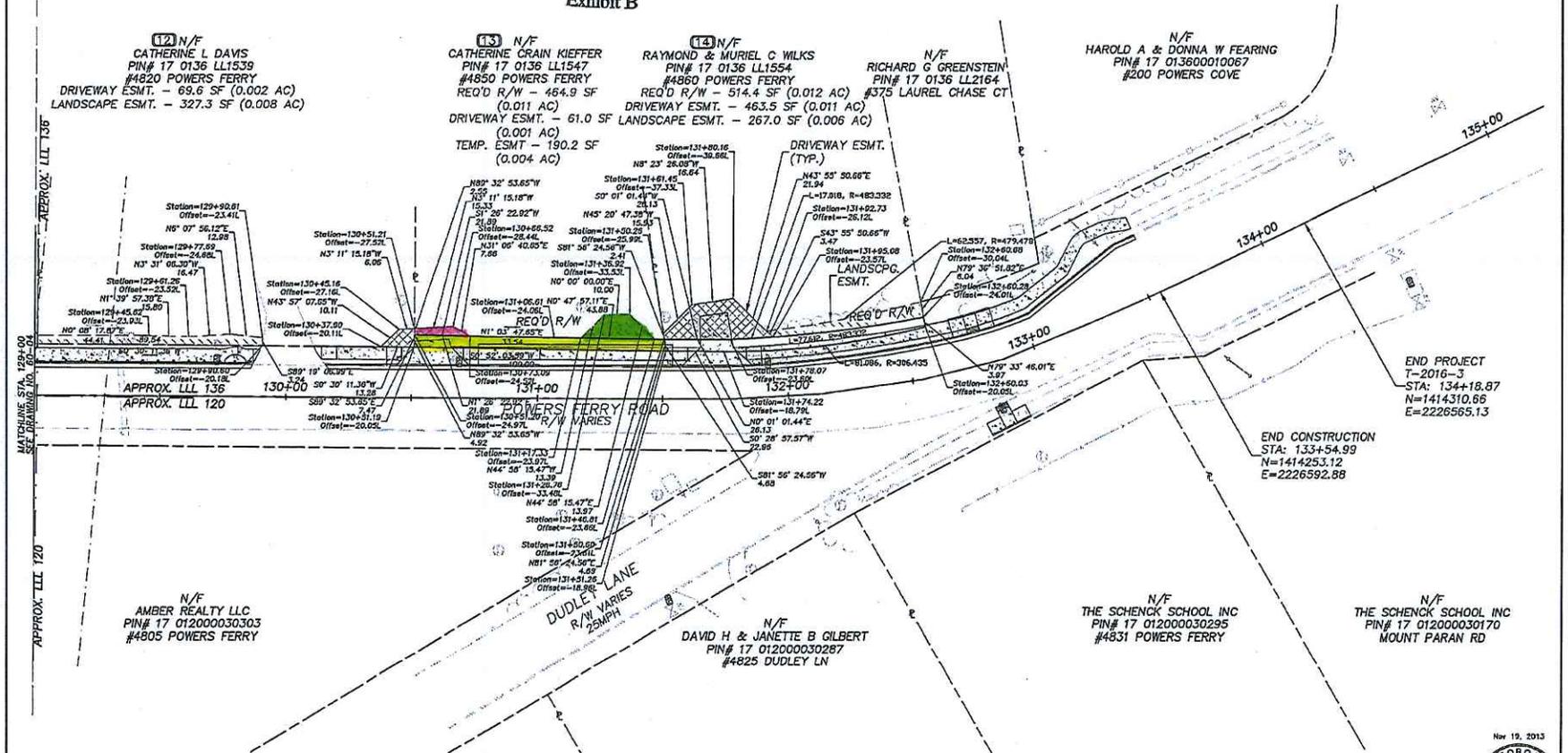
ALL THAT TRACT or parcel of land lying and being in Land Lot 136 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 20.05 feet left and opposite of Station 130+51.19 on City of Sandy Springs Roadway Improvement Project No.T-6012-3; THENCE proceeding NORTH 89 DEGREES 32 MINUTES 54 SECONDS WEST a distance of 4.92 feet to a point; THENCE proceeding NORTH 01 DEGREES 26 MINUTES 23 SECONDS EAST a distance of 21.89 feet to a point; THENCE proceeding NORTH 01 DEGREES 03 MINUTES 48 SECONDS EAST a distance of 33.54 feet to a point; THENCE proceeding NORTH 01 DEGREES 03 MINUTES 48 SECONDS EAST a distance of 33.54 feet to a point; THENCE proceeding NORTH 00 DEGREES 47 MINUTES 57 SECONDS EAST a distance of 43.88 feet to a point; THENCE proceeding SOUTH 00 DEGREES 52 MINUTES 04 SECONDS WEST a distance of 100.00 feet and POINT OF BEGINNING.

Said parcel contains 464.9 Square Feet; more or less.

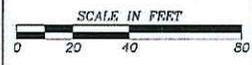
Grantor also agrees to grant to the City of Sandy Springs a Temporary Driveway Easement for the purpose of reconstructing driveway aprons after the construction of the sidewalks. Said Temporary Easement is more particularly shown on Exhibit "B", attached hereto and made part of by reference, and shall expire upon the completion and acceptance of the project by the City of Sandy Springs Public Works Department.

Exhibit B



DATE: 11/19/13
 DRAWN BY: J. HARRIS
 CHECKED BY: M. HARRIS
 PROJECT NO.: T-6012-3
 SHEET NO.: 6
 TOTAL SHEETS: 8
 CITY: SANDY SPRINGS, GA
 PROJECT: ROADWAY IMPROVEMENTS, POWERS FERRY ROAD
 DATE: 11/19/13

PROPERTY AND EX. R/W LINE	FORM THE TELEPHONE LINE	1
REQUIRED R/W LINE	ON POWER LINE	2
CONSTRUCTION LIMITS	US POWER LINE	3
PERMANENT EASEMENT FOR MAINTENANCE	NEW STOP	4
TEMPORARY EASEMENT FOR CONSTRUCTION	OVER OPTIC LINE	5
EASEMENT FOR CONSTRUCTION OF DRIVEWAYS	SANITARY SEWER LINE	6
PERMANENT GRASSY EASEMENT	LIGHTING CONDUIT	7
	RETAINING WALL	8
	limit of disturbance	9



REVISION DATES

CITY OF SANDY SPRINGS PUBLIC WORKS DEPARTMENT	
OFFICE: PUBLIC WORKS	DATE: 11/19/13
RIGHT-OF-WAY PLAN	
ROADWAY IMPROVEMENTS POWERS FERRY ROAD	
SHEET NO. 60-05	



STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF A RIGHT OF WAY DEED ON PROPERTY
LOCATED IN LAND LOT 136 OF THE 17th DISTRICT, CITY OF SANDY SPRINGS,
FULTON COUNTY, 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

WHEREAS, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and approves the acceptance of the donation of a Right of Way Deed by the City of Sandy Springs for the property located at 4850 Powers Ferry Road from Catherine Crain Kieffer, in Land Lot 136 of the 17th District, Fulton County, City of Sandy Springs, Georgia

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

To facilitate the installation of a sidewalk associated with the T-6012-3 Powers Ferry Road Sidewalk Project, the City of Sandy Springs approves the acceptance of the donation of a Right of Way Deed on property located in Land Lot 136 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this 1st day of April, 2014.

APPROVED:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)