



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: March 25, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: Acceptance of the Donation of a Right of Way Deed in Connection with the T-0036K Hammond Drive Sidewalk Project (800 Hammond Drive)

MEETING DATE: For Submission onto the April 1, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Exhibits
Resolution

APPROVAL BY CITY MANAGER: JTM APPROVED

PLACED ON AGENDA FOR: 4/1/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: SMY

REMARKS:



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-0036K Hammond Drive 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 36 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by Imperial Investments Sandy Springs, LLC, and the property is located at 800 Hammond Drive, Sandy Springs, Georgia. The right of way donation consists of 579.24 square feet.

Background:

The acquisition of this fee simple right of way from Imperial Investments Sandy Springs, LLC is necessary in order to construct the T-0036K Hammond Drive Sidewalk Project. The owners have agreed to donate the necessary fee simple right of way and temporary easements rights to the City.

Discussion:

This donation is associated with the T-0036K Hammond Drive Sidewalk Project which is associated with the MARTA program. The owners have elected to donate the necessary land rights needed to build the project.

Alternatives:

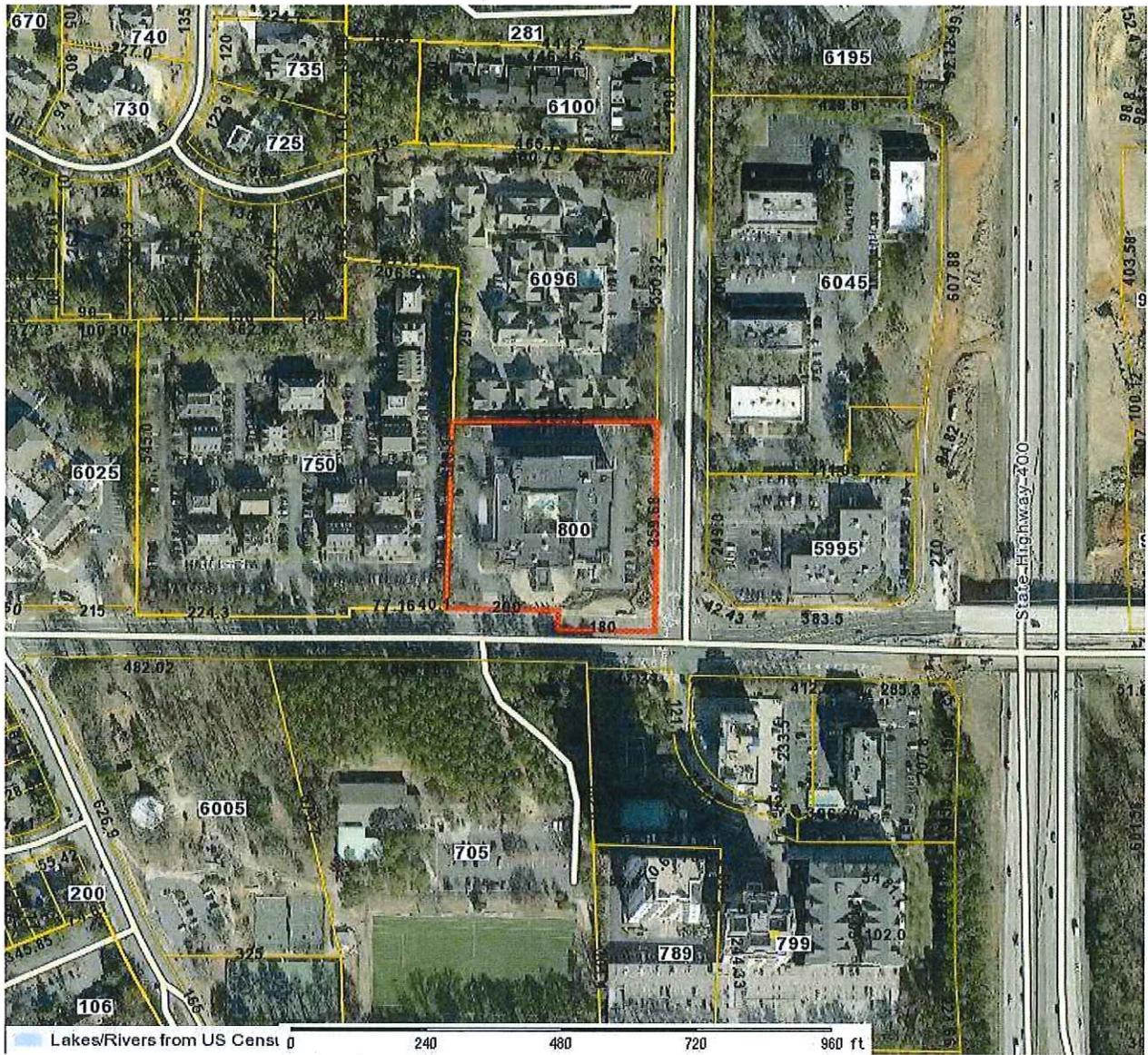
The City could elect to forego the construction of the project.

Financial Impact:

There is no financial impact to the City as the owners are donating the rights of way valued at an estimated \$22,000.00.

Attachments:

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



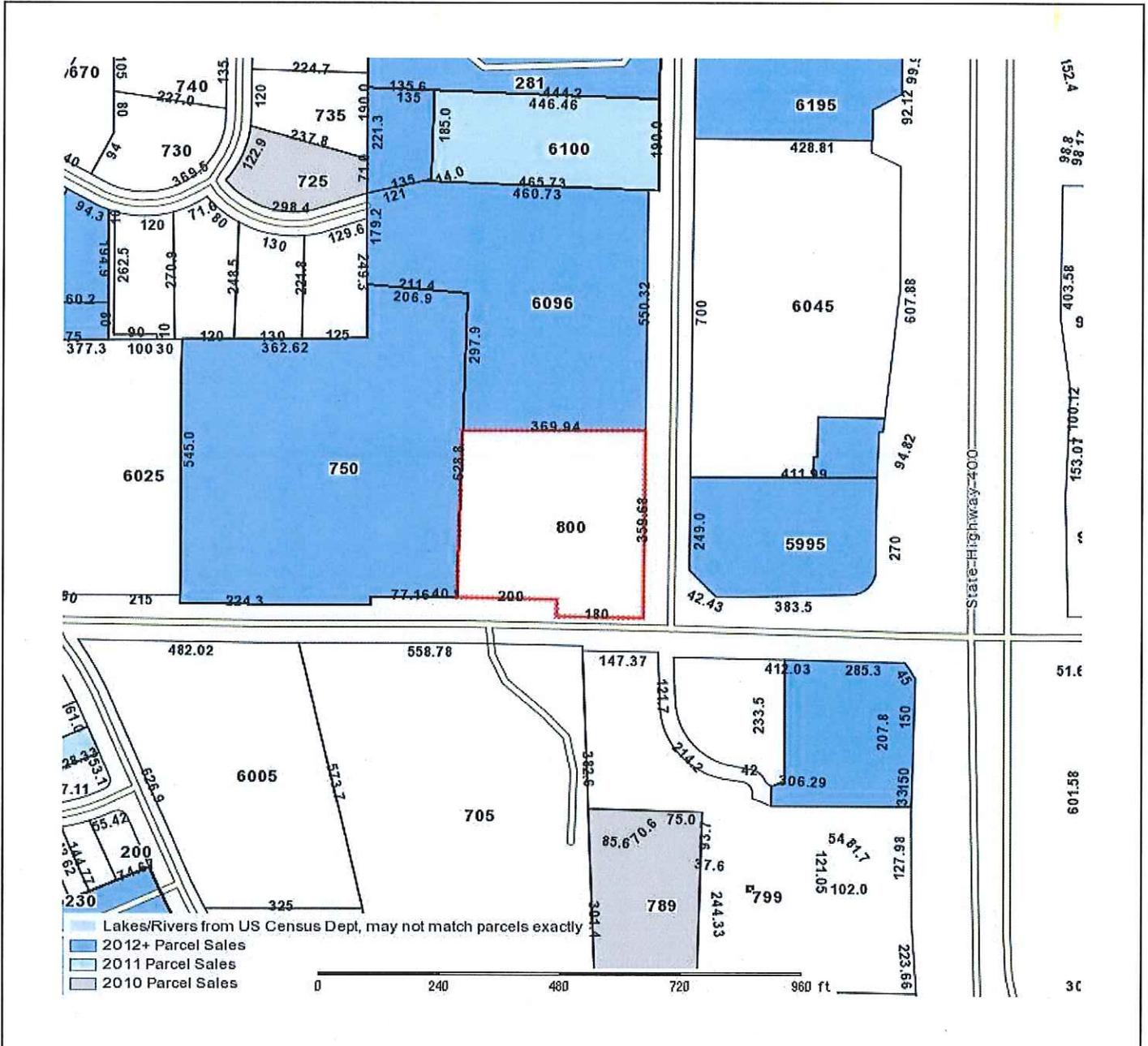
00 Hammond Drive / Imperial Investments Sandy Springs LLC / ROW Deed Donati

Parcel: 17 0036 LL0748 Acres: 0			
Name:	IMPERIAL INVESTMENTS SANDY	Land Value	\$ 1,377,000
Site:	800 HAMMOND DR	Building Value	\$ 4,819,100
Sale:	\$5,750,000 on 2006-07-21 Reason=U Qual=7	Misc Value	0
Mail:	330 RESEARCH CT # 200	Total Value:	\$ 6,196,100
	NORCROSS, GA 30092		



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---

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00 Hammond Drive / Imperial Investments Sandy Springs LLC / ROW Deed Donati

Parcel: 17 0036 LL0748 Acres: 0			
Name:	IMPERIAL INVESTMENTS SANDY	Land Value	\$ 1,377,000
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RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 20th day of FEBRUARY, 2014, between IMPERIAL INVESTMENTS SANDY SPRINGS, 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 36 of the 17TH District of Fulton County, Georgia and being furthermore described in Deed Book 43054, Page 647. Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

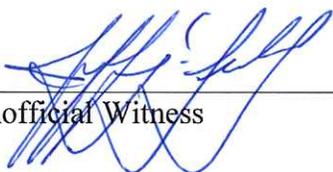
To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

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:

IMPERIAL INVESTMENTS SANDY SPRINGS, LLC



Unofficial Witness

By:  (SEAL)
Name: NARENDRA J. SHAH
Title: COO



Notary Public

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

EXHIBIT "A"

Legal Description of Right of Way Imperial Investments Sandy Springs LLC

For Tract 1:

Beginning at a point at coordinates N 1425694.66; E 2237566.36 (Horizontal Georgia Coordinate System of 1984) and 43.49 feet left of and opposite station 16+80.00 on a construction centerline laid out for Hammond Drive; running thence N 1°05'58.0" a distance of 2.00 feet to a point 45.49 feet left of and opposite station 16+80.00 on said construction centerline laid out for HAMMOND DRIVE; thence S 88°38'30.1" a distance of 214.39 feet to a point 46.20 feet left of and opposite station 18+94.00 on said construction centerline laid out for HAMMOND DRIVE; thence S 1°35'09.7" a distance of 2.00 feet to a point 44.20 feet left of and opposite station 18+94.00 on said construction centerline laid out for HAMMOND DRIVE; thence N 88°38'30.1" a distance of 214.37 feet back to the point of beginning.

Containing 428.76 square feet; more or less.

For Tract 2:

Beginning at a point at coordinates N 1425687.18; E 2237881.91 (Horizontal Georgia Coordinate System of 1984) and 44.60 feet left of and opposite station 19+95.27 on a construction centerline laid out for Hammond Drive; running thence north 41.250 feet along the arc of a curve (said curve having a radius of 26.000 feet and a chord distance of 37.058 feet on a bearing of N 45°54'24.9") to the point 71.11 feet left of and opposite station 20+21.16 on said construction centerline laid out for HAMMOND DRIVE; thence S 0°27'19.9" a distance of 26.41 feet to a point 44.70 feet left of and opposite station 20+21.68 on said construction centerline laid out for HAMMOND DRIVE; thence N 88°38'30.1" a distance of 26.41 feet back to the point of beginning. **Containing 150.48 square feet; more or less.**

Grantor also agrees to grant the Grantee rights to a Temporary Construction Easement totaling 1,521.11 square feet for the purposes of sloping cuts and fills to support the proposed sidewalk and roadway appurtenances; and a Temporary Driveway Easement for the purposes of re-connecting the parcel's driveway to Hammond Drive after the completion of the sidewalk installation. The Temporary Construction Easement and the Temporary Driveway Easement shall both expire upon the completion and acceptance of the project by the City of Sandy Springs Public Works Department.

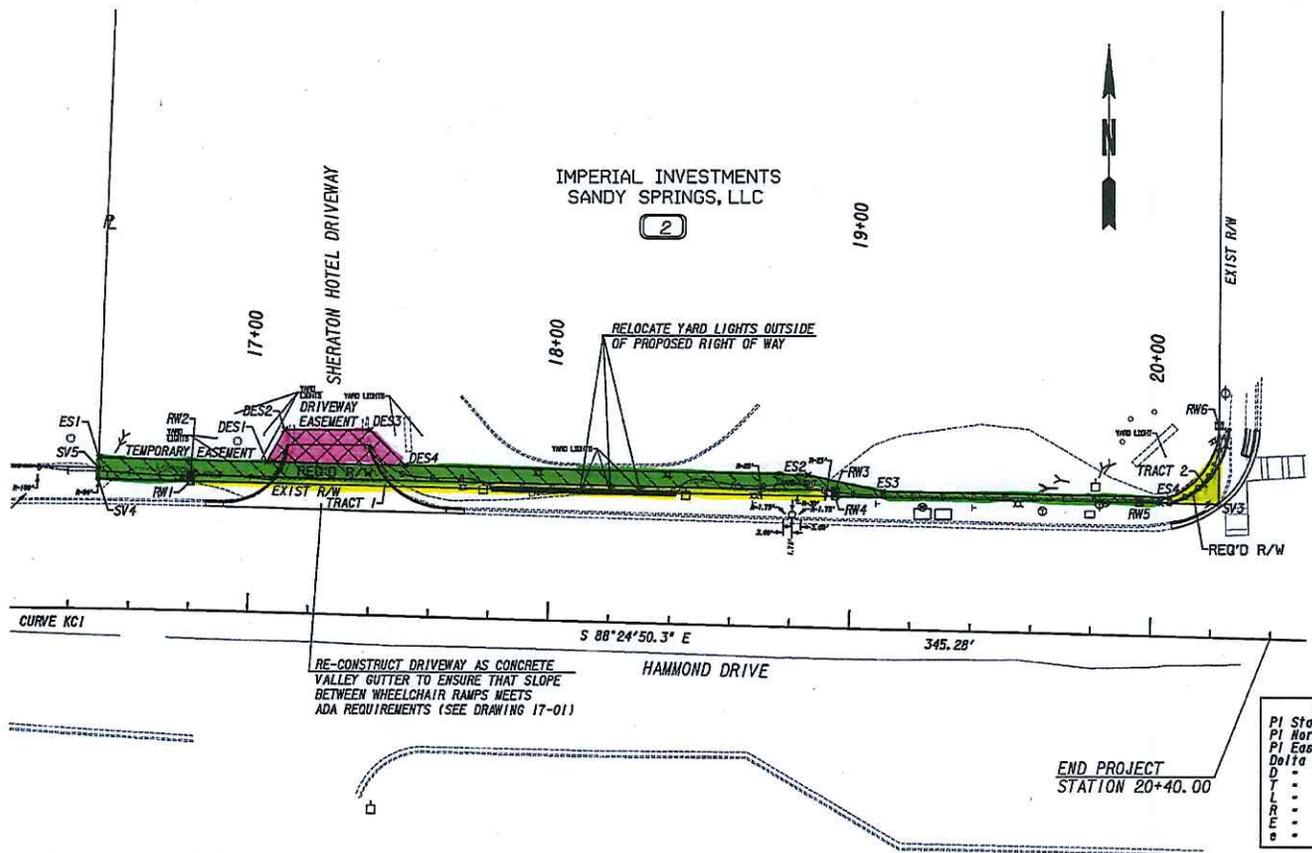
PARCEL 2	REQ'D TEMP. EASMT.	ESI	PNT	OFFSET	STATION	ALIGNMENT
SV4	43.75	L			16+49.50	HAMMOND DRIVE
SV5	47.34	L			16+49.57	HAMMOND DRIVE
ES1	50.74	L			16+49.64	HAMMOND DRIVE
ES2	51.16	L			18+05.00	HAMMOND DRIVE
ES3	46.26	L			19+10.00	HAMMOND DRIVE
ES4	46.64	L			20+05.26	HAMMOND DRIVE
ARC LENGTH = 10.265						
CHORD BEAR = S 80°02'54.2" W						
LATH CHORD = 10.198						
RADIUS = 26.000						
DEGREE = 220° 22' 6"						
RW5	44.60	L			19+95.27	HAMMOND DRIVE
RW4	44.20	L			18+94.00	HAMMOND DRIVE
RW3	46.20	L			18+94.00	HAMMOND DRIVE
RW2	45.49	L			16+80.00	HAMMOND DRIVE
RW1	43.49	L			16+80.00	HAMMOND DRIVE
SV4	43.75	L			16+49.50	HAMMOND DRIVE
RECD EASMT AREA = 1521.11 SF						

PARCEL 2	REQ'D R/W	RW2	PNT	OFFSET/DIST	STATION/BEARING	ALIGNMENT
TRACT 2						
TRACT 1						
TRACT 2						
RW5	44.60	L			19+95.27	HAMMOND DRIVE
ARC LENGTH = 41.250						
CHORD BEAR = N 45°54'24.9" E						
LATH CHORD = 37.058						
RADIUS = 26.000						
DEGREE = 220° 22' 6"						
RW6	71.11	L			20+21.16	HAMMOND DRIVE
S 0°27'19.9" W						
SV3	44.70	L			20+21.68	HAMMOND DRIVE
26.41						
N 88°38'30.1" W						
RW5	44.60	L			19+95.27	HAMMOND DRIVE
RECD R/W = 150.48 SF						
RECD R/W = 0.003 ACRES						
TOTAL RECD R/W (TRACTS 1 & 2) = 0.013 ACRES						
REMAINDER = +/- 2.9 ACRES						

PARCEL 2	REQ'D R/W	RW1	PNT	OFFSET/DIST	STATION/BEARING	ALIGNMENT
TRACT 1						
RW1	43.49	L			16+80.00	HAMMOND DRIVE
2.00						
N 1°05'58.0" E						
RW2	45.49	L			16+80.00	HAMMOND DRIVE
214.39						
S 88°38'30.1" E						
RW3	46.20	L			18+94.00	HAMMOND DRIVE
2.00						
S 1°35'09.7" W						
RW4	44.20	L			18+94.00	HAMMOND DRIVE
214.37						
N 88°38'30.1" W						
RW1	43.49	L			16+80.00	HAMMOND DRIVE
RECD R/W = 428.76 SF						
RECD R/W = 0.010 ACRES						

PARCEL 2	REQ'D DRIV. EASMT.	DEST	PNT	OFFSET	STATION	ALIGNMENT
DES1	50.45	L			17+05.00	HAMMOND DRIVE
DES2	61.50	L			17+10.50	HAMMOND DRIVE
DES3	62.25	L			17+39.00	HAMMOND DRIVE
DES4	50.63	L			17+51.00	HAMMOND DRIVE
DES1	50.45	L			17+05.00	HAMMOND DRIVE

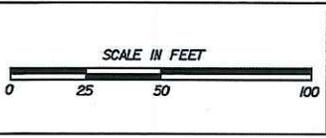
EXHIBIT "B"



CURVE KC1	
PI Sta	16+34.74
PI North	1425652.58
PI East	2237520.26
Delta	2°18'12.2"
D	1°28'08.8"
T	78.40
L	156.79
R	3900.00
E	0.79
g	N/A

- PROPERTY AND EXISTING R/W LINE
- REQUIRED R/W LINE
- CONSTRUCTION LIMITS
- EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES
- EASEMENT FOR CONSTR OF DRIVES

MULKEY
ENGINEERS & CONSULTANTS
1255 CANTON STREET, SUITE 6
ROSWELL, GEORGIA 30075
(678) 461-3511



RIGHT OF WAY PLAN
HAMMOND DRIVE
SIDEWALK IMPORVEMENT

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF A RIGHT OF WAY DEED ON PROPERTY
LOCATED IN LAND LOT 36 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 800 Hammond Drive from Imperial Investments Sandy Springs, LLC, in Land Lot 36 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-0036K Hammond Drive 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 36 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)