



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: March 11, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of the Acceptance of a Dedication of Right of Way Deed as part of the Zoning Requirements (211 Mount Vernon Hwy)

MEETING DATE: For Submission onto the March 18, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Exhibits
Resolution

APPROVAL BY CITY MANAGER:  APPROVED

PLACED ON AGENDA FOR: 3/18/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



TO: John McDonough, City Manager

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

DATE: March 3, 2014, for Submission onto the Consent Agenda of the March 18, 2014 City Council Meeting

ITEM: Consideration of the Acceptance of a dedication of Right of Way Deeds as part of the zoning requirements.

Recommendation:

Staff recommends that the Mayor and City Council accept the right of way deeds dedicating all that tract or parcel of land lying and located in Land Lot 123 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Century Partners, LLC, and is more specifically known as being 211 Mount Vernon Highway. The dedicated right of way totals 1,303.00 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:

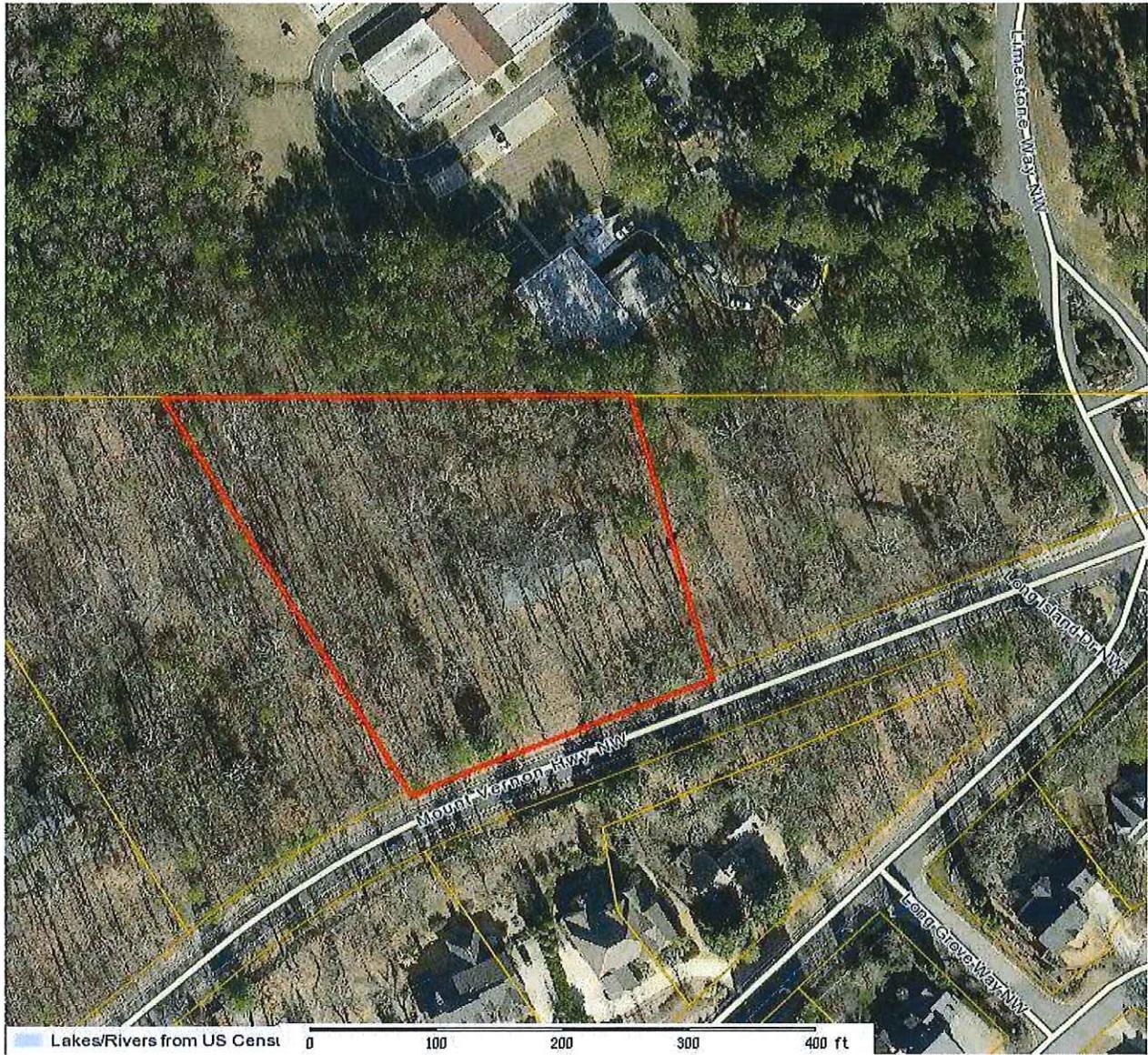
N/A

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 including Plats and Legal Description
- II. Resolution



ROW Deed of Dedication / Century Partners, LLC / 211 Mt. Vernon Highway

Parcel: 17 0123 LL0502 Acres: 0			
Name:	MARTIN SANTFORD F & CORDES MIRIAM M	Land Value	\$ 68,800
Site:	211 MOUNT VERNON HWY	Building Value	\$ 241,900
Sale:	0 on 2009-07-06 Reason=U Qual=T	Misc Value	0
Mail:	507 TWIN DR	Total Value:	\$ 310,700
	SPARTANBURG, SC 29302-2743		



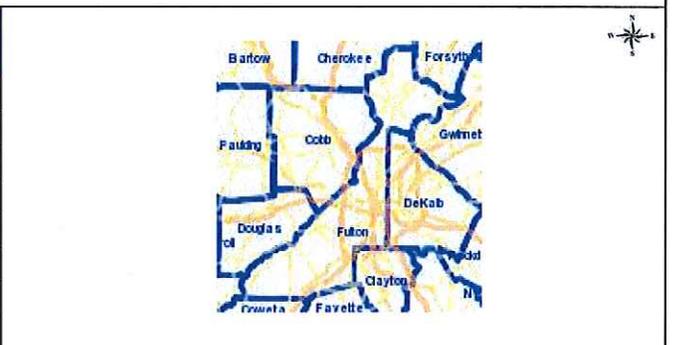
The Fulton County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before 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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ROW Deed of Dedication / Century Partners, LLC / 211 Mt. Vernon Highway

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Date printed: 03/03/14 : 09:37:03

RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 19th day of FEBRUARY, 2014, between Century Partners, 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 123 of the 17 th District of Fulton County, Georgia and being furthermore described in Deed Book 53304, Page 134. 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 Mount Vernon Highway, with a total depth of 30 feet from existing centerline and equaling 1,303 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.: Zoning Case-201300991/ROW Requirement Modification Request 201302618.

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:

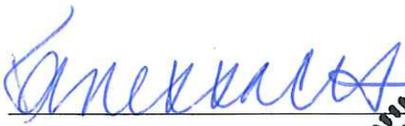
Century Partners, LLC


Unofficial Witness Meaghan Walsh

By: Chris A. Weathers, mgr. (SEAL)

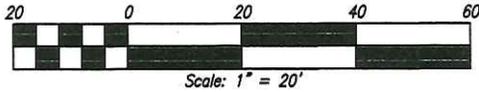
Name: Chris A. Weathers

Title: Manager

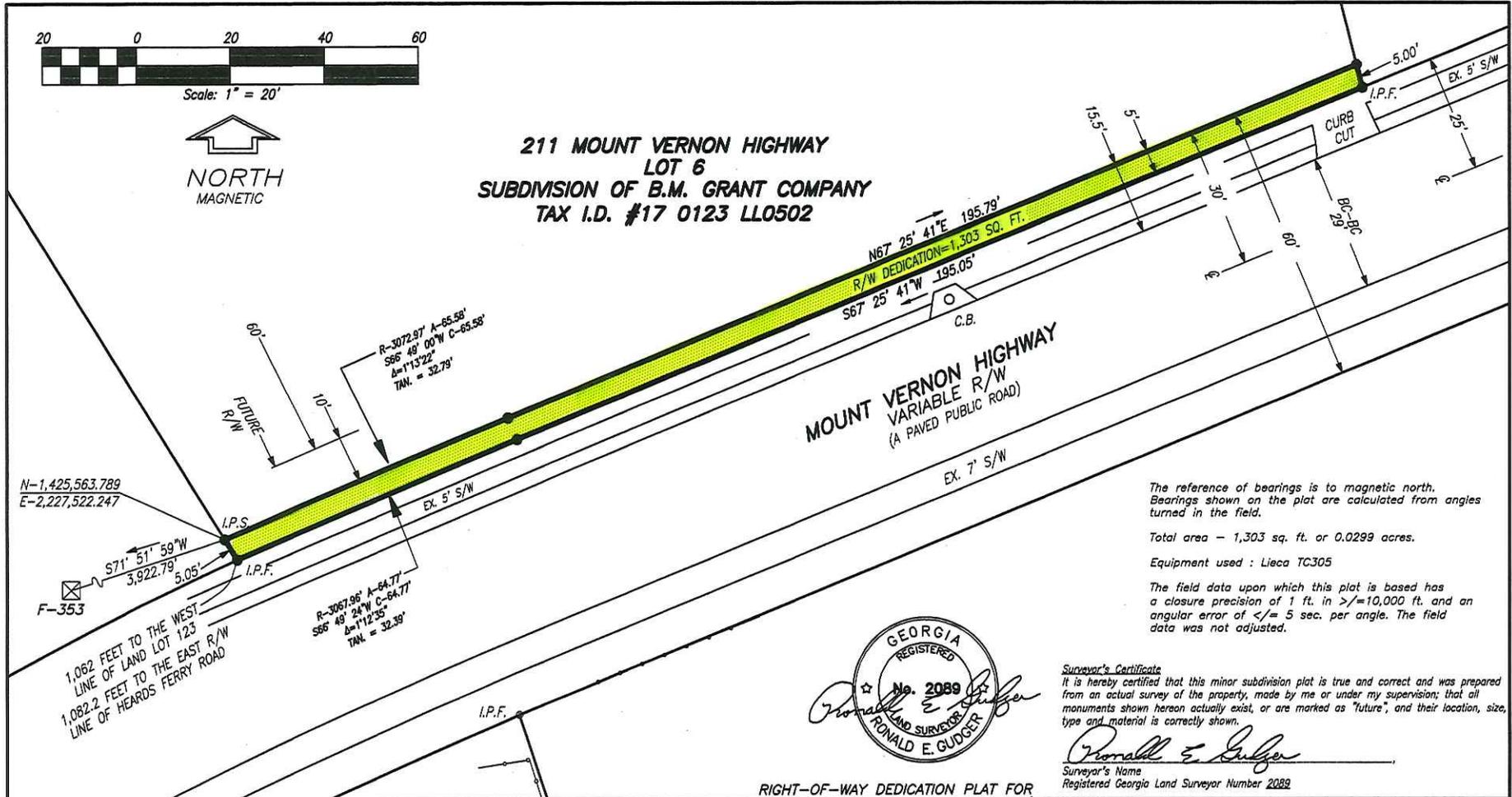

Notary Public

Attest: Vanessa E. Goggans (SEAL)





**211 MOUNT VERNON HIGHWAY
LOT 6
SUBDIVISION OF B.M. GRANT COMPANY
TAX I.D. #17 0123 LL0502**



The reference of bearings is to magnetic north. Bearings shown on the plat are calculated from angles turned in the field.

Total area - 1,303 sq. ft. or 0.0299 acres.

Equipment used : Leica TC305

The field data upon which this plat is based has a closure precision of 1 ft. in $\geq 10,000$ ft. and an angular error of ≤ 5 sec. per angle. The field data was not adjusted.



Surveyor's Certificate
It is hereby certified that this minor subdivision plat is true and correct and was prepared from an actual survey of the property, made by me or under my supervision; that all monuments shown hereon actually exist, or are marked as "future", and their location, size, type and material is correctly shown.

Ronald E. Gudger
Surveyor's Name
Registered Georgia Land Surveyor Number 2089

RIGHT-OF-WAY DEDICATION PLAT FOR

SURVEYED REG. TPO
CALCULATED REG. RAM
DRAWN MOUNT VERNON 211
DWG. NAME ROW-DEDICATION
DATE FEB. 19, 2014

SITE WORKS
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-8011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
404-731-8696

**211 MOUNT VERNON HIGHWAY
LOT 6
SUBDIVISION OF B.M. GRANT COMPANY
L.L. 123, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA**

DEVELOPER:
CENTURY PARTNERS, LLC
6100 LAKE FORREST DRIVE
SUITE 130
SANDY SPRINGS, GA 30328
CONTACT : CHRIS WEATHERS
Phone : 404-256-2127

**LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
211 MOUNT VERNON HIGHWAY**

All that tract or parcel of land lying and being in Land Lot 123 of the 17th District of Fulton County, Georgia, also lying within the limits of the City of Sandy Springs and being a portion of Lot 6 of the Subdivision of B.M. Grant Company as per plat recorded in Plat Book 17, Page 90, Fulton County Records and being more particularly described as follows:

Beginning at an iron pin found on the northwesterly right-of-way of Mount Vernon Highway (having a 50 foot right-of-way) 1,062 feet northeasterly, measured along the curvature of the northwesterly right-of-way of Mount Vernon Highway from the point where the west line of Land Lot 123 intersects the northwesterly right-of-way of Mount Vernon Highway; thence leaving the northwesterly right-of-way of Mount Vernon Highway proceed North 31 degrees 47 minutes 44 seconds West for 5.05 feet to a point on the new right-of-way of Mount Vernon Highway which lies 30 feet from the center of said Mount Vernon Highway; thence along said new right-of-way of Mount Vernon Highway, which lies 30 feet from the centerline of said road, around a curve to the right having a radius of 3,072.97 feet for an arc distance of 65.58 feet and being subtended by a chord of North 66 degrees 49 minutes 00 seconds East, 65.58 feet to a point; thence continuing along said new right-of-way of Mount Vernon Highway which lies 30 feet from the centerline proceed North 67 degrees 25 minutes 41 seconds East for 195.79 feet to a point; thence proceed South 14 degrees 08 minutes 25 seconds East for 5.00 feet to an iron pin found to the existing right-of-way of Mount Vernon Highway; thence along said existing northwesterly right-of-way of Mount Vernon Highway proceed South 67 degrees 25 minutes 41 seconds West for 195.05 feet to a point; thence continuing along said northwesterly right-of-way of Mount Vernon Highway proceed around a curve to the left having a radius of 3,067.96 feet for an arc distance of 64.77 feet and being subtended by a chord of South 66 degrees 49 minutes 24 seconds West, 64.77 feet, returning to the point of beginning. Said parcel is a 5 foot strip of the property currently known as 211 Mount Vernon Highway, NW and contains 1,303 square feet or 0.0299 acres, more or less.

RESOLUTION NO. _____

**STATE OF GEORGIA
COUNTY OF FULTON**

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 123 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 Century Partners, LLC, on property more particularly described as 211 Mount 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 1,303.00 Square Feet of Right of Way in land lot 123, of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 18th day of March, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)