



TO: John McDonough, City Manager

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

DATE: January 9, 2014, for Submission onto the Consent Agenda of the January 21, 2014 City Council Meeting

ITEM: Acceptance of the donation of a right of way deed on the T-6012-1 Mt. Paran 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 93 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by James H. Weymouth and the property is located at 19 Mt. Paran Road NE, Sandy Springs, Georgia. The fee simple right of way area consists of 366.70 square feet.

Background:

The acquisition of fee simple right of way across the Weymouth tract is necessary in order to construct the T-6012-1 Mt. Paran Road Sidewalk Project. The Owner agreed to donate the required rights of way to the City.

Discussion:

This is a generous donation to the City for a sidewalk project intended to provide safer pedestrian travel along Mt. Paran Road.

Alternatives:

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

Financial Impact:

Although this is a donation, the project will potentially damage two hemlock trees. Agreement has been reached with Mr. Weymouth to compensate him \$500.00 to procure a landscaper to plant and maintain two hemlock trees. By taking this action, the City removes itself of any future liability for the potentially lost trees.

Attachments:

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



ROW Deed Donation / 19 MPR NE / Weymouth

Parcel: 17 009300010134 Acres: 0

Name:	WEYMOUTH SHELLEY S	Land Value	\$ 273,900
Site:	19 MOUNT PARAN RD	Building Value	\$ 170,600
Sale:	0 on 2013-02-01 Reason=U Qual=T	Misc Value	0
Mail:	19 MOUNT PARAN RD NE SANDY SPRINGS, GA 30342	Total Value:	\$ 444,500

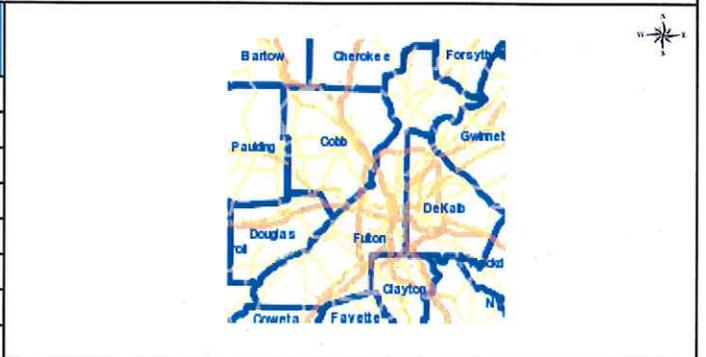


The Fulton County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before 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 Donation / 19 MPR Weymouth			
Parcel: 17 009300010134 Acres: 0			
Name:	WEYMOUTH SHELLEY S	Land Value	\$ 273,900
Site:	19 MOUNT PARAN RD	Building Value	\$ 170,600
Sale:	0 on 2013-02-01 Reason=U Qual=T	Misc Value	0
Mail:	19 MOUNT PARAN RD NE	Total Value:	\$ 444,500
	SANDY SPRINGS, GA 30342		



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RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 26th day of December, 2013 between James H. Weymouth, party of the first part, and The City of Sandy Springs, 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 92 of the 17th Land District of Fulton County, Georgia, as described in Deed Book# 52329, Page#571 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 366.70 square feet of fee simple right of way for the purpose of sidewalk construction along Mt. Paran 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:

[Signature]

Witness

By: James H. Weymouth (L.S.)

Name: James H. Weymouth

[Signature]

Notary Public



JASON GARCIA
MY COMMISSION # FF 040885
EXPIRES: July 30, 2017
Bonded Thru Budget Notary Services

EXHIBIT "A"

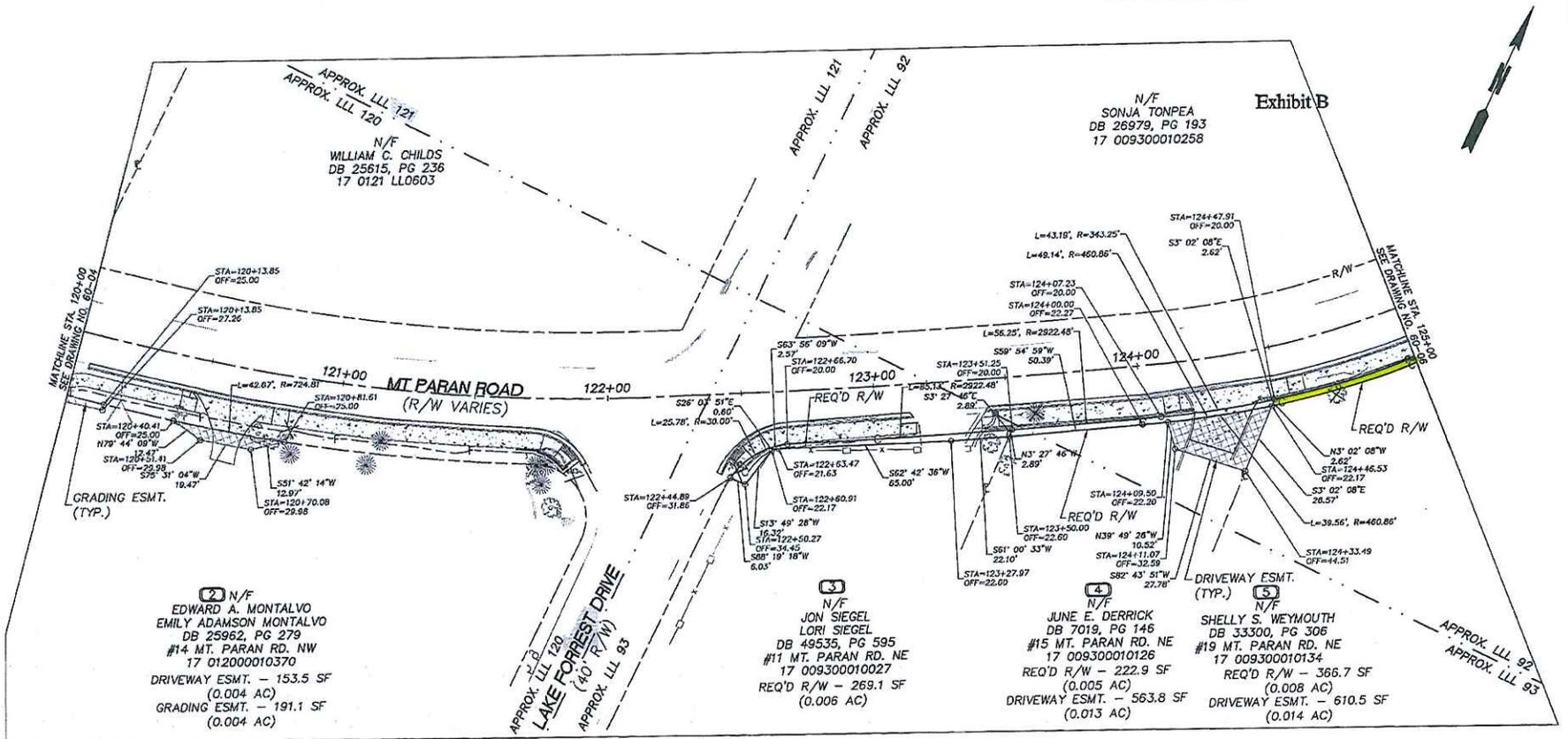
LEGAL DESCRIPTION/ REQUIRED RIGHT OF WAY
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
PROJECT: T-6012-1
19 MT PARAN ROAD
PARCEL NO. 5 / WEYMOUTH

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

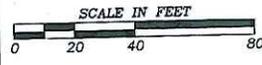
BEGINNING at a point 20.00 feet right and opposite of Station 124+47.91 on City of Sandy Springs Roadway Improvement Project No.T-6012-1; THENCE along a curve to the left an arc length of 116.65 feet having a radius of 343.25 feet and a chord bearing of NORTH 43 DEGREES 03 MINUTES 04 SECONDS EAST , and a chord distance of 116.09 feet; THENCE with a compound curve to the left an arc length of 53.76 feet having a radius of 715.51 feet and a chord bearing of NORTH 28 DEGREES 44 MINUTES 08 SECONDS EAST and a chord distance of 53.75 feet; THENCE proceeding SOUTH 10 DEGREES 35 MINUTES 37 SECONDS EAST a distance of 3.53 feet to a point; THENCE along a curve to the right an arc length of 51.65feet having a radius of 717.94 feet and a chord bearing of SOUTH 28 DEGREES 52 MINUTES 07 SECONDS WEST and a chord distance of 51.64 feet; THENCE with a compound curve to the right an arc length of 118.40 feet having a radius of 345.66feet and a chord bearing of SOUTH 43 DEGREES 12 MINUTES 24 SECONDS WEST and a chord distance of 117.82 feet; THENCE proceeding NORTH 03 DEGREES 02 MINUTES 08 SECONDS WEST a distance of 2.62 feet and POINT OF BEGINNING. **Said parcel contains 366.7 Square Feet or 0.008 Acres.**

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

CITY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
SANDY SPRINGS	T-6012-1	96	101



PROPERTY AND EX. R/W LINE	STORM LINE
REQUIRED R/W LINE	TELEPHONE LINE
CONSTRUCTION LIMITS	OH POWER LINE
PERMANENT EASEMENT FOR MAINTENANCE	UG POWER LINE
TEMPORARY EASEMENT FOR CONSTRUCTION	WATER LINE
EASEMENT FOR CONSTRUCTION OF DRIVEWAYS	FIBER OPTIC LINE
PERMANENT DRAINAGE EASEMENT	GAS LINE
	SANITARY SEWER LINE
	LIGHTING CONDUIT
	RETAINING WALL
	LIMIT OF DISTURBANCE



REVISION DATES

CITY OF SANDY SPRINGS
PUBLIC WORKS DEPARTMENT

OFFICE: PUBLIC WORKS DATE: 06/18/13

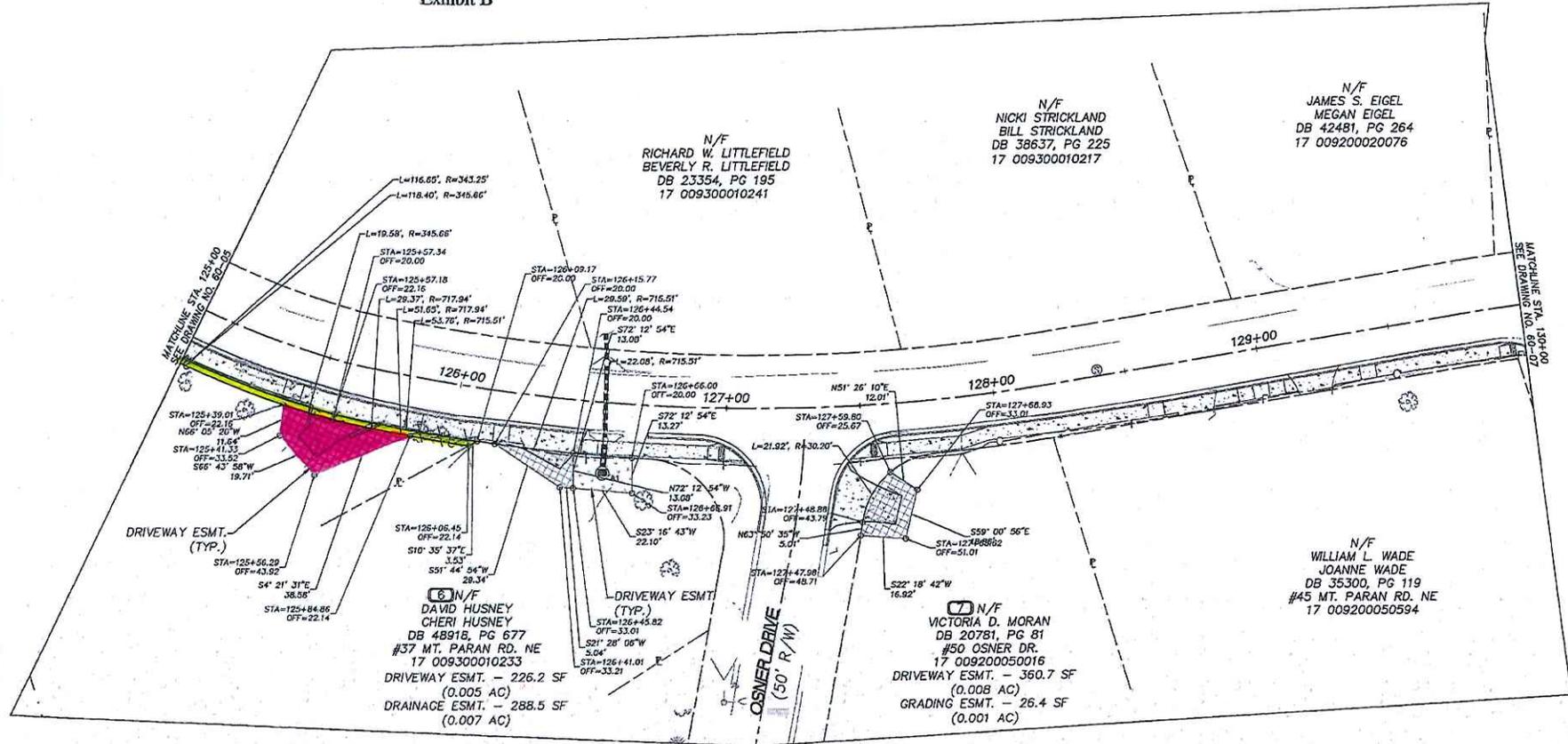
RIGHT OF WAY PLAN

ROADWAY IMPROVEMENTS
MT. PARAN ROAD

SHEET NO. 60-05

CITY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
SANDY SPRINGS	T-8012-1	97	101

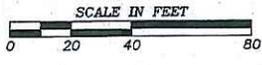
Exhibit B



Jun 28, 2013



PROPERTY AND EX. R/W LINE	SEWER LINE	1
REQUIRED R/W LINE	TELEPHONE LINE	2
CONSTRUCTION LIMITS	OH POWER LINE	3
PERMANENT EASEMENT FOR MAINTENANCE	WATER LINE	4
TEMPORARY EASEMENT FOR CONSTRUCTION	FIBER OPTIC LINE	5
EASEMENT FOR CONSTRUCTION OF DRIVEWAYS	Gas LINE	6
PERMANENT DRAINAGE EASEMENT	SHADY SEWER LINE	7
	LIGHTING CONDUIT	8
	RETAINING WALL	9
	LIMIT OF DISTURBANCE	10



REVISION DATES

CITY OF SANDY SPRINGS PUBLIC WORKS DEPARTMENT	
OFFICE: PUBLIC WORKS	DATE: 06/18/13
RIGHT OF WAY PLAN	
ROADWAY IMPROVEMENTS MT. PARAN ROAD	SHEET NO. 60-06

12/26/13

Kerr,
Please Reimburse me \$500.00
For the two trees that may
die due to sidewalk construction.

IF you could please work
with the contractor to make
sure no other trees die
due to the construction.

Thanks for your help,

James Wetmore

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF A RIGHT OF WAY DEED ON PROPERTY
LOCATED IN LAND LOT 93 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 19 Mt. Paran Road, from James H. Weymouth, in Land Lot 93 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 construction of the T-6012-1 Mt. Paran Road Sidewalk Project, the City approves the acceptance of the donation of a Right of Way Deed located in Land Lot 93 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this 21st day of January, 2014.

APPROVED:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)