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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** January 16, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Acceptance of the donation of a right of way deed on the T-6012-1 Mt. Paran Road Sidewalk Project (11 Mt. Paran Road)

**MEETING DATE:** For Submission onto the January 21, 2014, City Council Regular Meeting Agenda

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*BACKGROUND INFORMATION: (Attach additional pages if necessary)*

See attached:

Memorandum  
Exhibits  
Resolution

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APPROVAL BY CITY MANAGER:           JMM           APPROVED

PLACED ON AGENDA FOR:           1/21/2014          

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES (  ) NO

CITY ATTORNEY APPROVAL:           SLL          

REMARKS:



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

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***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 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by Lori Siegel and the property is located at 11 Mt. Paran Road, Sandy Springs, Georgia. The fee simple right of way area consists of 269.10 square feet.

***Background:***

The acquisition of fee simple right of way across the Siegel 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:***

This is a donation and there is no financial impact to the City.

***Attachments:***

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



ROW Deed from Lori Siegel			
Parcel: 17 009300010027 Acres: 0			
Name:	SIEGEL LORI	Land Value	\$ 226,100
Site:	11 MOUNT PARAN RD	Building Value	\$ 1,172,800
Sale:	0 on 2013-01-28 Reason=U Qual=T	Misc Value	0
Mail:	11 MOUNT PARAN RD	Total Value:	\$ 1,398,900
	SANDY SPRINGS, GA 30342		



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: 12/24/13 : 10:12:26



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Date printed: 12/24/13 : 10:08:59

**RIGHT OF WAY DEED**

**STATE OF GEORGIA  
FULTON COUNTY**

THIS INDENTURE, made this 19<sup>th</sup> day of December, 2013 between Lori Siegel, party of the first part, and The City of Sandy Springs, 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 93 of the 17<sup>th</sup> Land District of Fulton County, Georgia, as described in Deed Book# 52230, Page#629 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 269.10 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:

  
Witness

 (L.S.)  
Name: Lori Siegel

  
Notary Public

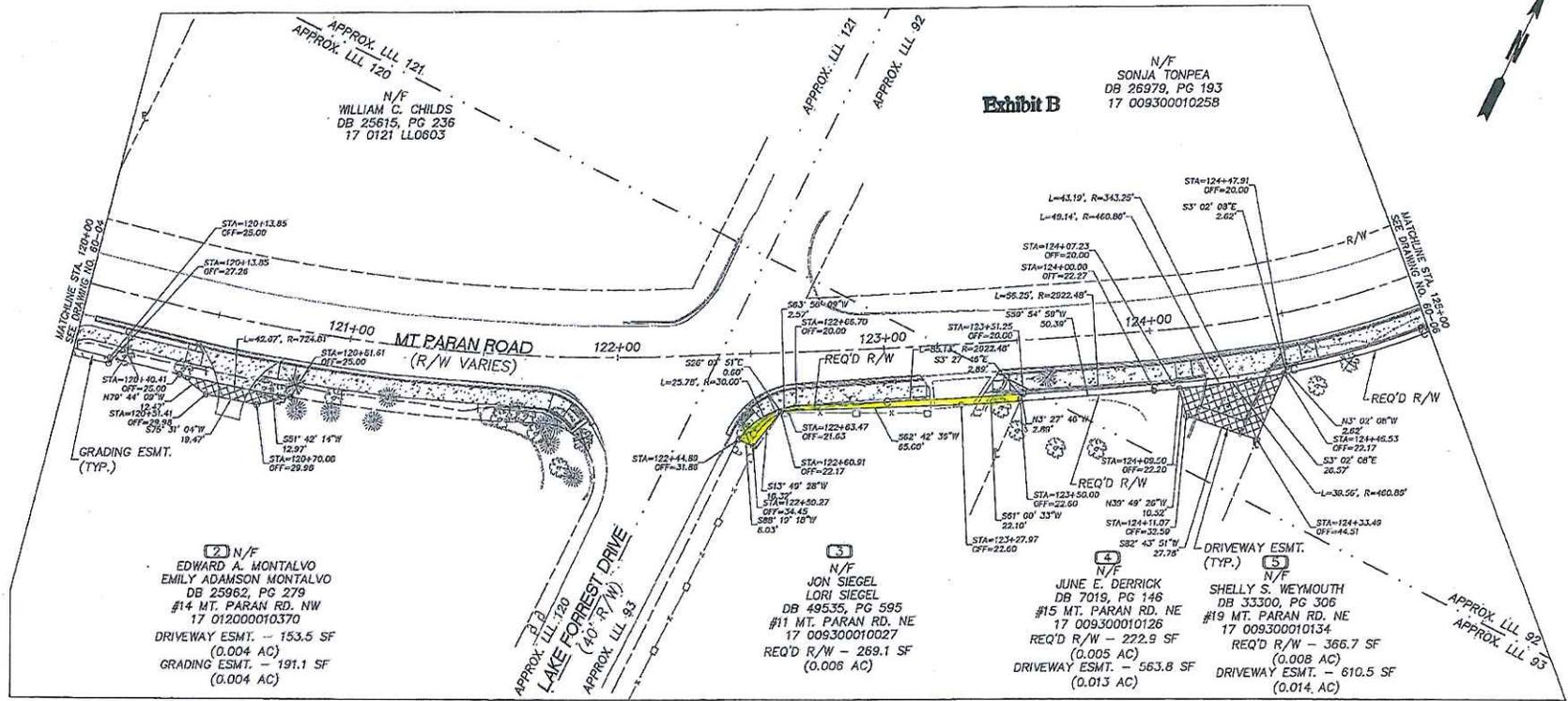


**EXHIBIT "A"**

LEGAL DESCRIPTION/ REQUIRED RIGHT OF WAY  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA  
PROJECT: T-6012-1  
11 MT PARAN ROAD  
PARCEL NO. 3 / SIEGEL

ALL THAT TRACT or parcel of land lying and being in Land Lot 93 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 31.86 feet right and opposite of Station 122+44.89 on City of Sandy Springs Roadway Improvement Project No.T-6012-1; THENCE along a curve to the right an arc length of 25.78 feet having a radius of 30.00 feet and a chord bearing of NORTH 34 DEGREES 20 MINUTES 20 SECONDS EAST and a chord distance of 25.00 feet; THENCE with a reverse curve to the left an arc length of 85.13 feet having a radius of 2922.48 feet and a chord bearing of NORTH 61 DEGREES 35 MINUTES 43 SECONDS EAST and a chord distance of 85.12 feet; THENCE proceeding SOUTH 01 DEGREES 43 MINUTES 33 SECONDS EAST a distance of 2.93 feet to a point; THENCE proceeding SOUTH 61 DEGREES 00 MINUTES 33 SECONDS WEST a distance of 22.10 feet to a point; THENCE proceeding SOUTH 62 DEGREES 42 MINUTES 36 SECONDS WEST a distance of 65.00 feet to a point; THENCE proceeding SOUTH 63 DEGREES 56 MINUTES 09 SECONDS WEST a distance of 2.57 feet to a point; THENCE proceeding SOUTH 26 DEGREES 03 MINUTES 51 SECONDS EAST a distance of 0.60 feet to a point; THENCE proceeding SOUTH 13 DEGREES 49 MINUTES 28 SECONDS WEST a distance of 16.32 feet to a point; THENCE proceeding SOUTH 88 DEGREES 19 MINUTES 18 SECONDS WEST a distance of 6.03 feet and POINT OF BEGINNING. **Said parcel contains 269.1 Square Feet or 0.006 Acres.**



**Exhibit B**  
 N/F  
 SONJA TONPEA  
 DB 26979, PG 193  
 17 009300010258

(2) N/F  
 EDWARD A. MONTALVO  
 EMILY ADAMSON MONTALVO  
 DB 25962, PG 279  
 #14 MT. PARAN RD. NW  
 17 012000010370  
 DRIVEWAY ESMT. - 153.5 SF  
 (0.004 AC)  
 GRADING ESMT. - 191.1 SF  
 (0.004 AC)

(3) N/F  
 JON SIEGEL  
 LORI SIEGEL  
 DB 49535, PG 595  
 #11 MT. PARAN RD. NE  
 17 009300010027  
 REQ'D R/W - 289.1 SF  
 (0.006 AC)

(4) N/F  
 JUNE E. DERRICK  
 LORI SIEGEL  
 DB 7019, PG 146  
 #15 MT. PARAN RD. NE  
 17 009300010126  
 REQ'D R/W - 272.9 SF  
 (0.005 AC)  
 DRIVEWAY ESMT. - 563.8 SF  
 (0.013 AC)

(5) N/F  
 SHELLY S. WEYMOUTH  
 DB 33300, PG 306  
 #19 MT. PARAN RD. NE  
 17 009300010134  
 REQ'D R/W - 366.7 SF  
 (0.008 AC)  
 DRIVEWAY ESMT. - 610.5 SF  
 (0.014 AC)

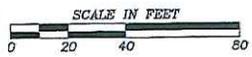
CITY OF SANDY SPRINGS, GEORGIA, 10000 SANDY SPRINGS ROAD, SANDY SPRINGS, GA 30086  
 CITY ENGINEER: [Signature] DATE: 06/18/13  
 PROJECT NO. T-6012-1 SHEET NO. 66 OF 101



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



**SEI**  
 SOUTHEASTERN ENGINEERING, INC.  
 7420 Sandy Plains Road, Marietta, Georgia 30066  
 TEL: 770-571-1336 FAX: 770-571-1333  
 www.seiengineering.com



REVISION	DATE	DESCRIPTION

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

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 17<sup>th</sup> 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 11 Mt. Paran Road, from Lori Siegel, in Land Lot 93 of the 17<sup>th</sup> 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 17<sup>th</sup> District, Fulton County, City of Sandy Springs, Georgia.

**RESOLVED** this 21<sup>st</sup> day of January, 2014.

**APPROVED:**

\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)