





TO: John McDonough, City Manager

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

DATE: December 24, 2013, 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 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by June E. Derrick and the property is located at 15 Mt. Paran Road, Sandy Springs, Georgia. The fee simple right of way area consists of 222.90 square feet.

***Background:***

The acquisition of fee simple right of way across the Derrick 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. The project manager will ensure that stipulations stated in Exhibit C are followed during the construction.

***Alternatives:***

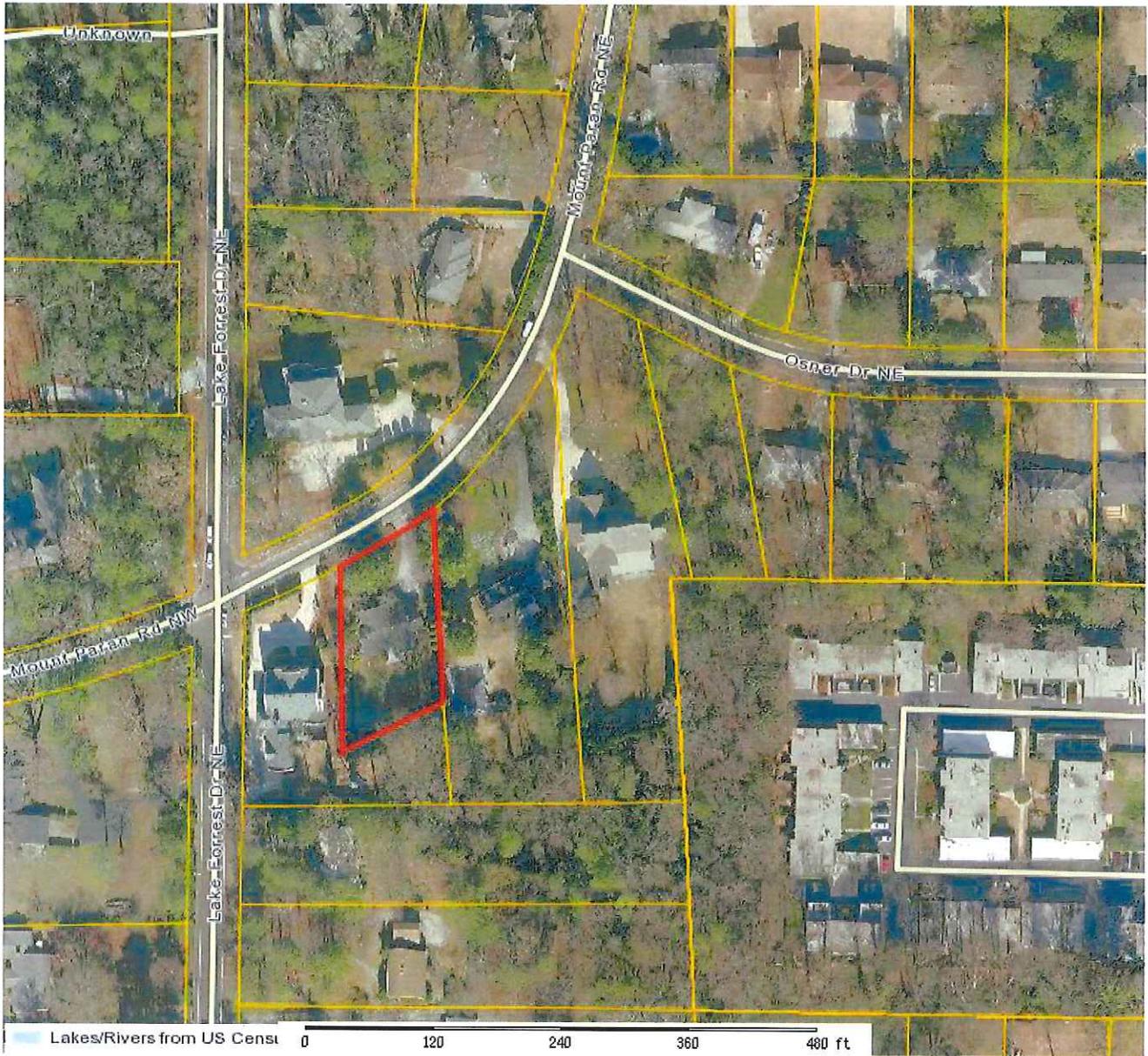
The City could elect to forego the construction of the sidewalk project.

***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 June E. Derrick			
Parcel: 17 009300010126 Acres: 0			
Name:	DERRICK JUNE E	Land Value	\$ 199,600
Site:	15 MOUNT PARAN RD	Building Value	\$ 122,500
Sale:	\$ 57,500 on 1978-08-02 Reason=U Qual=9	Misc Value	0
Mail:	USA	Total Value:	\$ 322,100
	ATLANTA, 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---

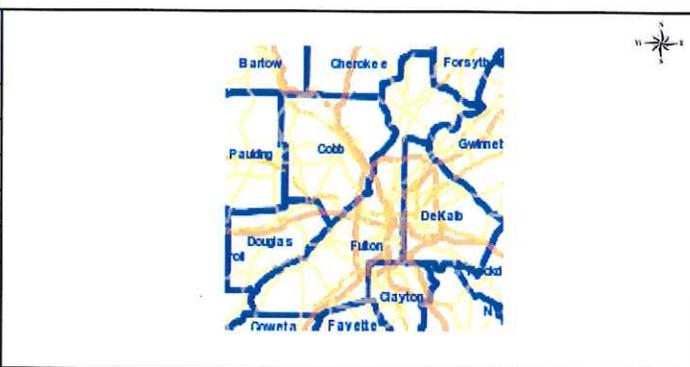
Date printed: 12/24/13 : 10:15:04



Lakes/Rivers from US Cens 0 120 240 360 480 ft

**ROW Deed from June E. Derrick**

Parcel: 17 009300010126 Acres: 0			
Name:	DERRICK JUNE E	Land Value	\$ 199,600
Site:	15 MOUNT PARAN RD	Building Value	\$ 122,500
Sale:	\$ 57,500 on 1978-08-02 Reason=U Qual=9	Misc Value	0
Mail:	USA	Total Value:	\$ 322,100
	ATLANTA, 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 : 10:15:58

**RIGHT OF WAY DEED**

**STATE OF GEORGIA  
FULTON COUNTY**

THIS INDENTURE, made this 19 day of Dec, 2013 between June E. Derrick, 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 93 of the 17<sup>th</sup> Land District of Fulton County, Georgia, as described in Deed Book# 7019; Page# 146 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 222.90 square feet of fee simple right of way for the purpose of sidewalk construction along Mt. Paran Road. This intent is conditioned upon those items more particularly described in Exhibit "C", attached hereto and incorporated herein.

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: [Signature] (L.S.)

Name: June E. Derrick

[Signature]  
Notary Public



**EXHIBIT "A"**

LEGAL DESCRIPTION/ REQUIRED RIGHT OF WAY  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA  
PROJECT: T-6012-1  
15 MT PARAN ROAD  
PARCEL NO. 4 / DERRICK

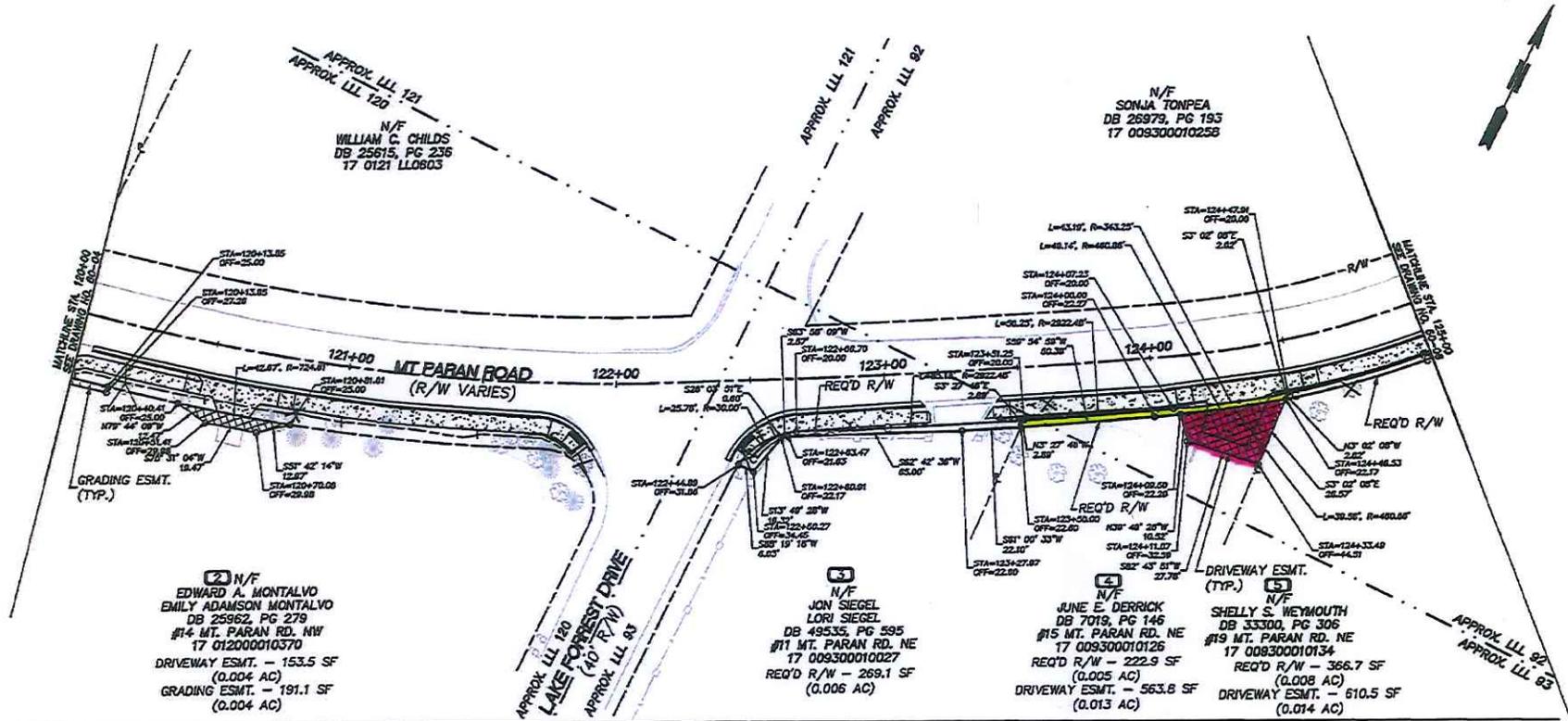
ALL THAT TRACT or parcel of land lying and being in Land Lot 92 & 93 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 20.00 feet right and opposite of Station 123+51.25 on City of Sandy Springs Roadway Improvement Project No.T-6012-1; THENCE along a curve to the left an arc length of 56.25 feet having a radius of 2922.48 feet and a chord bearing of NORTH 60 DEGREES 12 MINUTES 33 SECONDS EAST and a chord distance of 56.25 feet; THENCE with a compound curve to the left an arc length of 43.19 feet having a radius of 343.25 feet and a chord bearing of NORTH 56 DEGREES 23 MINUTES 30 SECONDS EAST and a chord distance of 43.17 feet; THENCE proceeding SOUTH 03 DEGREES 02 MINUTES 08 SECONDS EAST a distance of 2.62 feet to a point; THENCE along a curve to the right an arc length of 49.14 feet having a radius of 460.86 feet and a chord bearing of SOUTH 56 DEGREES 51 MINUTES 42 SECONDS WEST and a chord distance of 49.12 feet; THENCE proceeding SOUTH 59 DEGREES 55 MINUTES 06 SECONDS WEST a distance of 50.49 feet to a point; THENCE proceeding NORTH 01 DEGREES 43 MINUTES 33 SECONDS WEST a distance of 2.93 feet to a point and POINT OF BEGINNING. **Said parcel contains 222.90 Square Feet or 0.005 Acres.**

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

# Exhibit B

CITY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
SANDY SPRINGS	T-6012-1	66	101



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 - 269.1 SF  
 (0.006 AC)

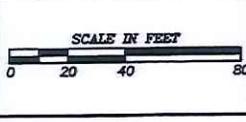
4) N/F  
 JUNE E. DERRICK  
 DB 7019, PG 146  
 #15 MT. PARAN RD. NE  
 17 009300010126  
 REQ'D R/W - 222.9 SF  
 (0.005 AC)  
 DRIVEWAY ESMT. - 563.8 SF  
 (0.013 AC)

5) N/F  
 SHELLY S. WEYMOUTH  
 DB 33300, PG 306  
 #19 MT. PARAN RD. NE  
 17 008300010134  
 REQ'D R/W - 366.7 SF  
 (0.008 AC)  
 DRIVEWAY ESMT. - 610.5 SF  
 (0.014 AC)

PROPERTY AND EX. R/W LINE	--- F --- C ---	1" = 10'
ACQUIRED R/W LINE	---	1" = 10'
CONSTRUCTION LIMITS	---	1" = 10'
PERMANENT EASEMENT FOR MAINTENANCE	---	1" = 10'
TEMPORARY EASEMENT FOR CONSTRUCTION	---	1" = 10'
EASEMENT FOR CONSTRUCTION OF DRIVEWAYS	---	1" = 10'
PERMANENT DRAINAGE EASEMENT	---	1" = 10'
TELEPHONE LINE	---	1" = 10'
POWER LINE	---	1" = 10'
WATER LINE	---	1" = 10'
SEWER LINE	---	1" = 10'
LIGHTING CONDUIT	---	1" = 10'
RETAINING WALL	---	1" = 10'



**SEI**  
 SOUTHEASTERN ENGINEERING, INC.  
 1428 Sandy Plains Road, Marietta, Georgia 30066  
 Tel: 770-221-3936 Fax: 770-221-7193  
 www.seiengineering.com



REVISION DATES

CITY OF SANDY SPRINGS  
 PUBLIC WORKS DEPARTMENT  
 OFFICE: PUBLIC WORKS DATE: 12/6/13  
 RIGHT OF WAY PLAN  
 ROADWAY IMPROVEMENTS  
 MT. PARAN ROAD  
 SHEET NO. 60-05



### EXHIBIT "C"

1. The City's Contractor will re-set the Grantor's US Postal Service Mail Box if removal is need for the construction of the sidewalk. .
2. Grantor shall be given the opportunity to have a role in the decision to choose the brick from the contractor's available stock in order to best match the existing driveway retaining walls.
3. Grantor wishes to retain some of the brick removed from my driveway retaining walls.
4. The City will direct the Contractor to be sure that the existing "side-yard" drain that was previously installed by the City will not be blocked by the sidewalk and or wall construction so storm water runoff will still drain freely from my side/back yard.

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 15 Mt. Paran Road, from June E. Derrick, 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)