



TO: John McDonough, City Manager

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

DATE: November 15, 2013, for Submission onto the Consent Agenda of the December 3, 2013 City Council Meeting

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

Recommendation:

Staff recommends that the Mayor and City Council accept the right of way deed dedicating all that tract or parcel of land lying and located in Land Lot 119 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Jennings P, LLC, and is more specifically known as 285 Lafayette Way. The dedicated right of way totals 336.00 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:

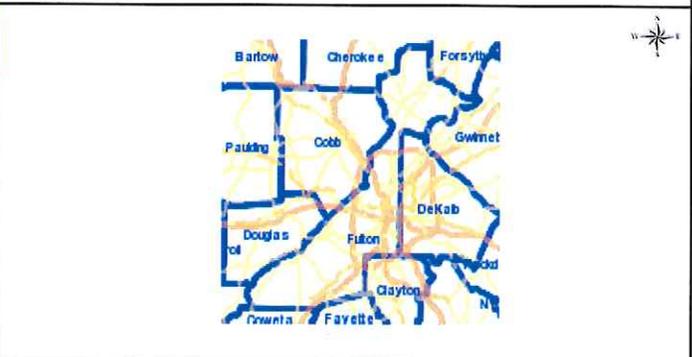
None. This is a dedication at no cost to the City.

Attachments:

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

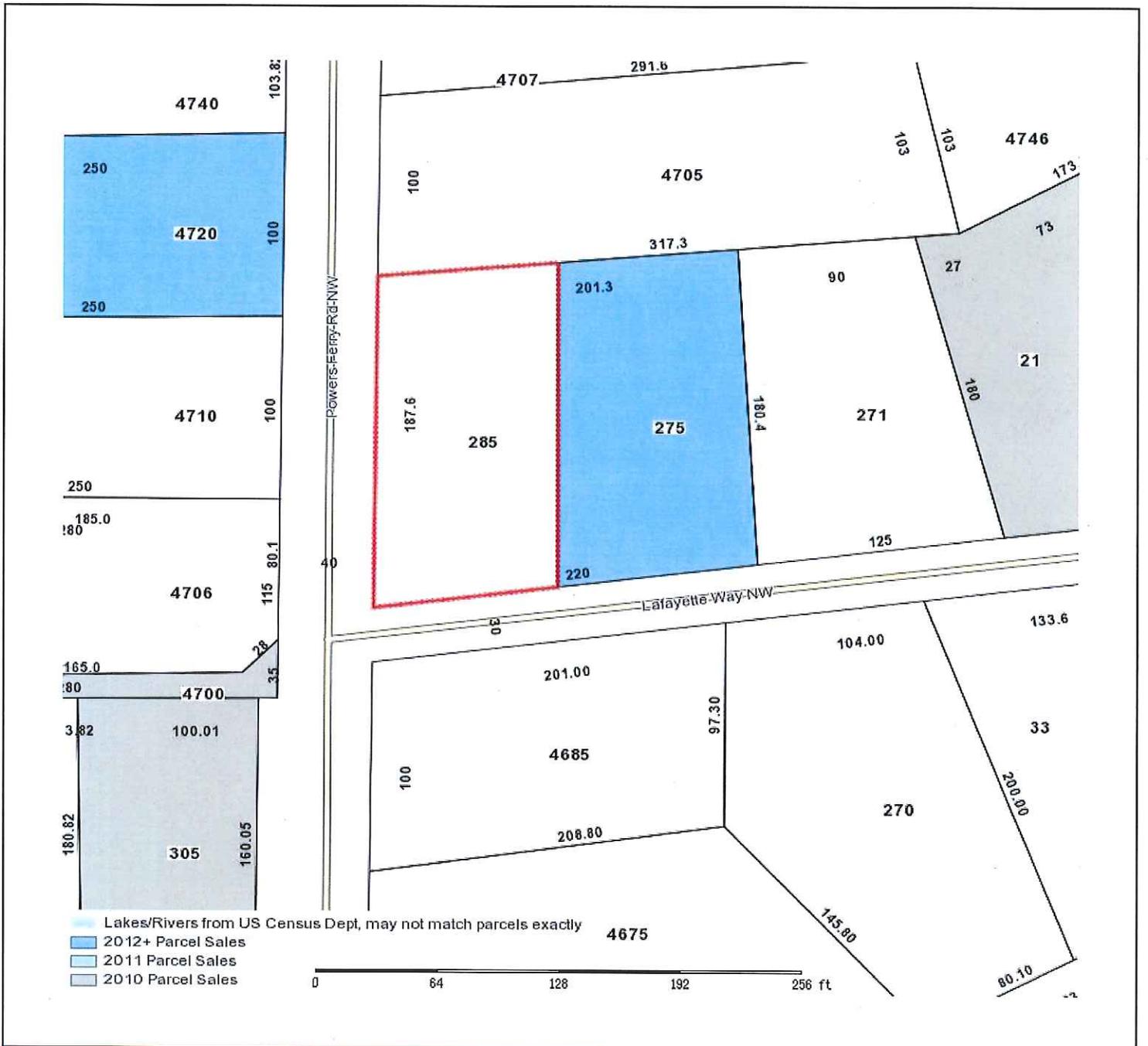


ROW Deed of Dedication / 285 Lafayette Way / Jennings P, LLC			
Parcel: 17 011900010423 Acres: 0			
Name:	LAFAYETTE WAY LLC	Land Value	\$ 154,500
Site:	285 LAFAYETTE WAY	Building Value	\$ 711,000
Sale:	\$850,000 on 2007-03-28 Reason=U Qual=5	Misc Value	0
Mail:	2616 BROOKWOOD WAY ATLANTA, GA 30305	Total Value:	\$ 865,500

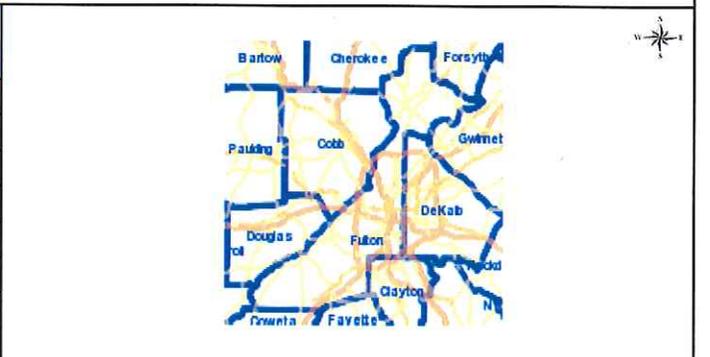


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RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 7th day of November, 2013, between Jennings P, 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 19 of the 17 th District of Fulton County, Georgia and being furthermore described in Deed Book 53248, Page 601.
Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

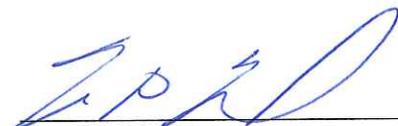
It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Powers Ferry Rd., with a total depth of 35 feet from existing centerline and equaling 336 square feet/acres for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.: 201202449.

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:



Unofficial Witness

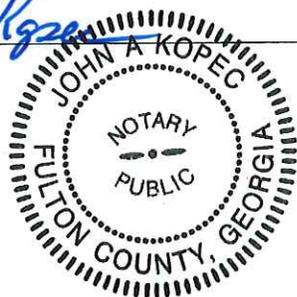
By: Polly Willis (SEAL)

Name: Polly Willis

Title: Member

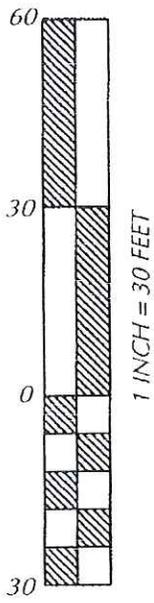


Notary Public

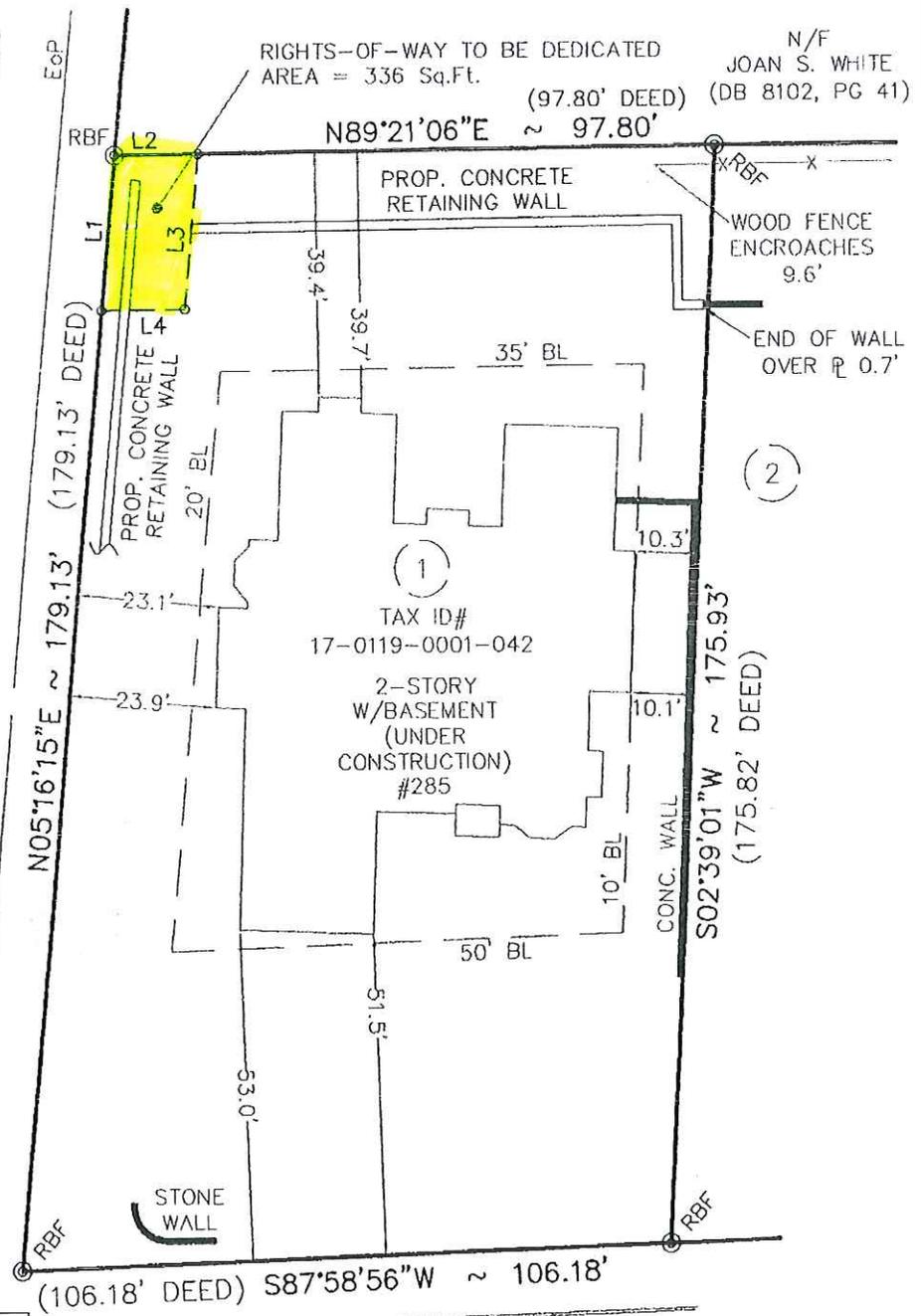


JOHN A KOPEC
NOTARY PUBLIC, FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES 8/22/2014

Attest: _____ (SEAL)



POWERS FERRY ROAD ~ APPARANT 45' RW



LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00'	N05°16'15"E
L2	13.50'	N89°21'06"E
L3	25.00'	S05°16'15"W
L4	13.50'	S89°21'06"W

LAFAYETTE WAY ~ APPARANT 45' RW



EXHIBIT "A"

RIGHTS-OF-WAY DEDICATION
EXHIBIT FOR:
FUTURE SIDEWALK CONSTRUCTION
285 LAFAYETTE WAY
LAND LOT 119 ~ 17TH DISTRICT
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
NOVEMBER 5, 2013

PROPERTY KNOWN AS
LOT 1
A MINOR SUBDIVISION PLAT FOR
BUCKHEAD HOMES, LLC OF LOTS
1 AND 2 PINE CREST ANNEX

OWNER
JENNINGS P, LLC



GADDY SURVEYING
& DESIGN, INC.

1215 PLEASANT HILL ROAD
LAWRENCEVILLE, GEORGIA 30044
PHONE - (770) 931-5920
FAX - (770) 931-5903

L.S. CERTIFICATE OF AUTHORIZATION #LS001014
P.E. CERTIFICATE OF AUTHORIZATION #PEF005450

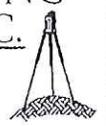


EXHIBIT "B"
LEGAL DESCRIPTION
RIGHTS-OF-WAY DEDICATION
#285 LAFAYETTE WAY

All that tract or parcel of land lying in Land Lot 119 of 17th District of Fulton County, Georgia, lying within the limits of the City of Sandy Springs, being particularly described as follows:

Beginning at a rebar on the Eastern Rights-of-Way of Powers Ferry Road (Apparent 45' R/W) 179.13' Northeasterly from the intersection between the Eastern Rights-of-Way of Power Ferry Road (Apparent 45' R/W) and Lafayette Way (Apparent 45' R/W); thence leaving the Eastern Rights-of-Way of Powers Ferry Road (Apparent 45' R/W) N 89°21'06" E along the property line common with Joan S. White a distance of 13.50' to a point; thence S 05°16'15" W along the lines of a Rights-of-Way to be dedicated a distance of 25.00' to a point; thence S 89°21'06" W along the lines of a Rights-of-Way to be dedicated a distance of 13.50' to a point on the Eastern Rights-of-Way of Powers Ferry Road (Apparent 45' R/W); thence along the Eastern Rights-of-Way of Powers Ferry Road (Apparent 45' R/W) N 05°16'15" E a distance of 25.00' to the Point of Beginning.

Said Tract of Land being known as Rights-of-Way to be dedicated, being more particularly shown on Rights-of-Way Dedication Exhibit For: Future Sidewalk Construction, Exhibit "A", prepared by: Gaddy Surveying & Design, Inc.; dated: November 5, 2013, containing 336 Sq.Ft.

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 119 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 a Right of Way Deed from Jennings P, LLC on property more particularly described as 285 Lafayette Way in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 336.00 Square Feet of Right of Way in land lot 119, of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 3rd day of December, 2013.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)