
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: September 26, 2013

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of the Acceptance of the dedication of a Right of Way Deed as part of the zoning requirements (1800 Spalding Drive)

MEETING DATE: For Submission onto the October 1, 2013, 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: 10/1/2013

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: September 9, 2013, for Submission onto the Consent Agenda of the October 1, 2013 City Council Meeting

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

Public Works Department's Recommendation:

The staff recommends that the Mayor and City Council accept the Right of Way Deed of dedication of all that tract or parcel of land lying and located in Land Lot 356 of the 6th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owners, Sandy Springs Dunwoody, LLC, and is more specifically known as 1800 Spalding Drive. The dedicated right of way totals 9,733.00 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

RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 23rd day of August, 2013, between Sandy Springs Dunwoody, 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 356 of the 6 th District of Fulton County, Georgia and being furthermore described in Deed Book 50869, Page 164.
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 Spalding Drive, with a total depth of 40 feet from existing centerline and equaling 9733/.2284 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.: 201301274.

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:

[Signature]
Unofficial Witness

Sandy Springs Dunwoody LLC

By: Michael W. Paul (SEAL)

Name: MICHAEL W. PAUL

Title: MEMBER

[Signature]
Notary Public

Attest: _____ (SEAL)



Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

Sandy Springs Dunwoody, LLC

By: *Carol Lee Woodley* (SEAL)

Name: Carol Lee Woodley

Title: member

[Signature]
Notary Public

Attest: _____ (SEAL)

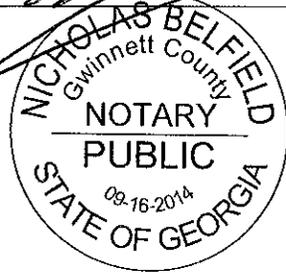


Exhibit A

11-054-RWTakeLegal.TXT

LEGAL DESCRIPTION - R/W TAKE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 356 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERLY R/W LINE OF SPALDING DRIVE AND THE EASTERLY LINE OF LAND LOT 356; THENCE RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE IN A WESTERLY DIRECTION FOR A DISTANCE OF 1,379.43 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE AND RUNNING SOUTH 33 DEGREES 34 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 21.11 FEET TO A POINT;
THENCE RUNNING SOUTH 75 DEGREES 03 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 229.83 FEET TO A POINT;
THENCE RUNNING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 435.00 FEET FOR A DISTANCE OF 136.33 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 66 DEGREES 04 MINUTES 34 SECONDS WEST - 135.78 FEET, TO A POINT;
THENCE RUNNING SOUTH 57 DEGREES 06 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 52.36 FEET TO A POINT;
THENCE RUNNING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 335.00 FEET FOR A DISTANCE OF 68.28 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 51 DEGREES 15 MINUTES 43 SECONDS WEST - 68.16 FEET, TO A POINT;
THENCE RUNNING NORTH 33 DEGREES 35 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 20.35 FEET TO A POINT, SAID POINT BEING ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE;
THENCE RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 355.00 FEET FOR A DISTANCE OF 68.47 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 51 DEGREES 34 MINUTES 29 SECONDS EAST - 68.37 FEET, TO A POINT;
THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE AND RUNNING NORTH 57 DEGREES 06 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 52.36 FEET TO A POINT;
THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 455.00 FEET FOR A DISTANCE OF 142.60 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 66 DEGREES 04 MINUTES 34 SECONDS EAST - 142.02 FEET, TO A POINT;
THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPALDING DRIVE AND RUNNING NORTH 75 DEGREES 03 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 223.08 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD, SAID RIGHT-OF-WAY TAKE CONTAINS 9,733 SQUARE FEET OR 0.2234 ACRES MORE OR LESS.

Exhibit B

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING AND DISTANCE
C-1	68.47'	355.00'	N51°34'29"E 68.37'
C-2	142.60'	455.00'	N66°04'34"E 142.02'
C-3	136.33'	435.00'	S66°04'34"W 135.78'
C-4	68.28'	335.00'	S51°15'43"W 68.16'

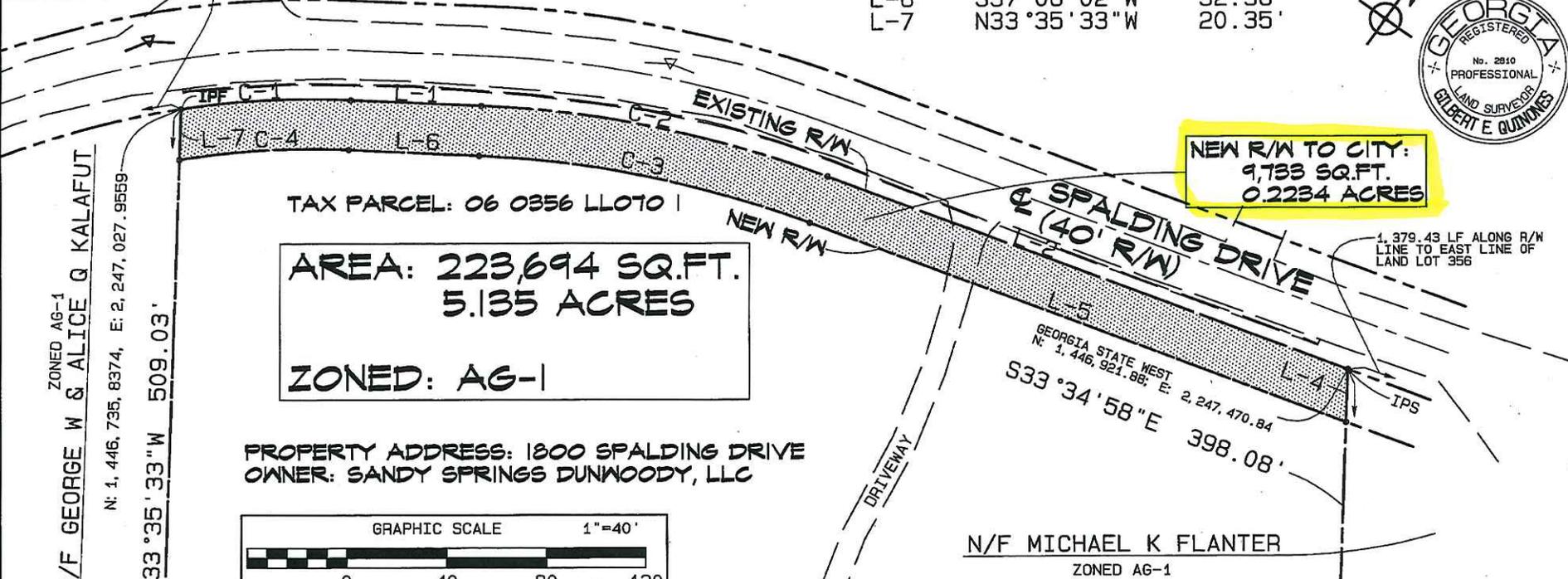
LINE TABLE

LINE	BEARING	DISTANCE
L-1	N57°06'02"E	52.36'
L-2	N75°03'32"E	223.08'
L-3	S55°24'01"W	19.61'
L-4	S33°34'58"W	21.11'
L-5	S75°03'32"W	229.83'
L-6	S57°06'02"W	52.36'
L-7	N33°35'33"W	20.35'



784.6' +/- TO WINGED FOOT DRIVE R/W LINE

HEWLITT ROAD



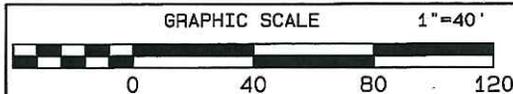
**NEW R/W TO CITY:
9,733 SQ.FT.
0.2234 ACRES**

TAX PARCEL: 06 0356 LOTO 1

**AREA: 223,694 SQ.FT.
5.135 ACRES**

ZONED: AG-1

PROPERTY ADDRESS: 1800 SPALDING DRIVE
OWNER: SANDY SPRINGS DUNWOODY, LLC



ZONED AG-1
 N/F GEORGE W & ALICE Q KALAFUT
 N: 1,446,735,8374, E: 2,247,027,9559
 N33°35'33"W 509.03'

SHEET 1	OF 1	DATE: 8/21/2013	REVISIONS		
		SCALE: 1" = 40'	NO.	DESCRIPTION	DATE
DRAWING NO. 11-054-RW-1		DRAWN: G.E.G.	1	CITY COMMENTS	8/23/13
		DESIGN: G.E.G.			
		CHECKED: G.E.G.			
		LAND LOT: 356			
		6TH LAND DISTRICT			
		FULTON COUNTY, GA.			

R/W TAKE TO SANDY SPRINGS
KINGS RIDGE

SANDY SPRINGS DUNWOODY LLC

10090 Trumpet Park
Johns Creek, Georgia 30022
(404) 456-4005

Q-B ENGINEERING, INC.

517 Cemetery Street
P.O. Box 1508
Norcross, Georgia 30091-1508
(770) 449-8623
(770) 449-1088 [FAX]

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY ON PROPERTY
LOCATED IN LAND LOT 356 OF THE 6th 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 the City of Sandy Springs Mayor and City Council approve the acceptance of the dedication a Right of Way Deed from Sandy Springs Dunwoody, LLC, on property more particularly described as 1800 Spalding Drive in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 9,733.00 Square Feet of Right of Way in land lot 356, of the 6th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 1st day of October, 2013.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)