SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** September 6, 2012

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 (216 East Belle Isle Rd)

MEETING DATE: For Submission onto the September 11, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER: JTM *APPROVED*

PLACED ON AGENDA FOR: 9/11/2012

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: GM

REMARKS:

SANDY SPRINGS
GEORGIA

TO: John McDonough, City Manager

FROM: Kevin J. Walter, P.E., Public Works Director

DATE: August 22, 2012, for Submission onto the Consent Agenda of the September 11, 2012 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 93 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owners, Belle Isle Animal Hospital, LLC, located at 216 East Belle Isle Road in Sandy Springs, Georgia. The dedicated right of way totals 512.68 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. Resolution

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

Public Works

RESOLUTION NO. _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY 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

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 Belle Isle Animal Hospital, LLC located at 216 East Belle Isle Road in Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 512.68 Square Feet of Right of Way in land lot 93, of the 17th District, City of Sandy Springs, Fulton County, Georgia.

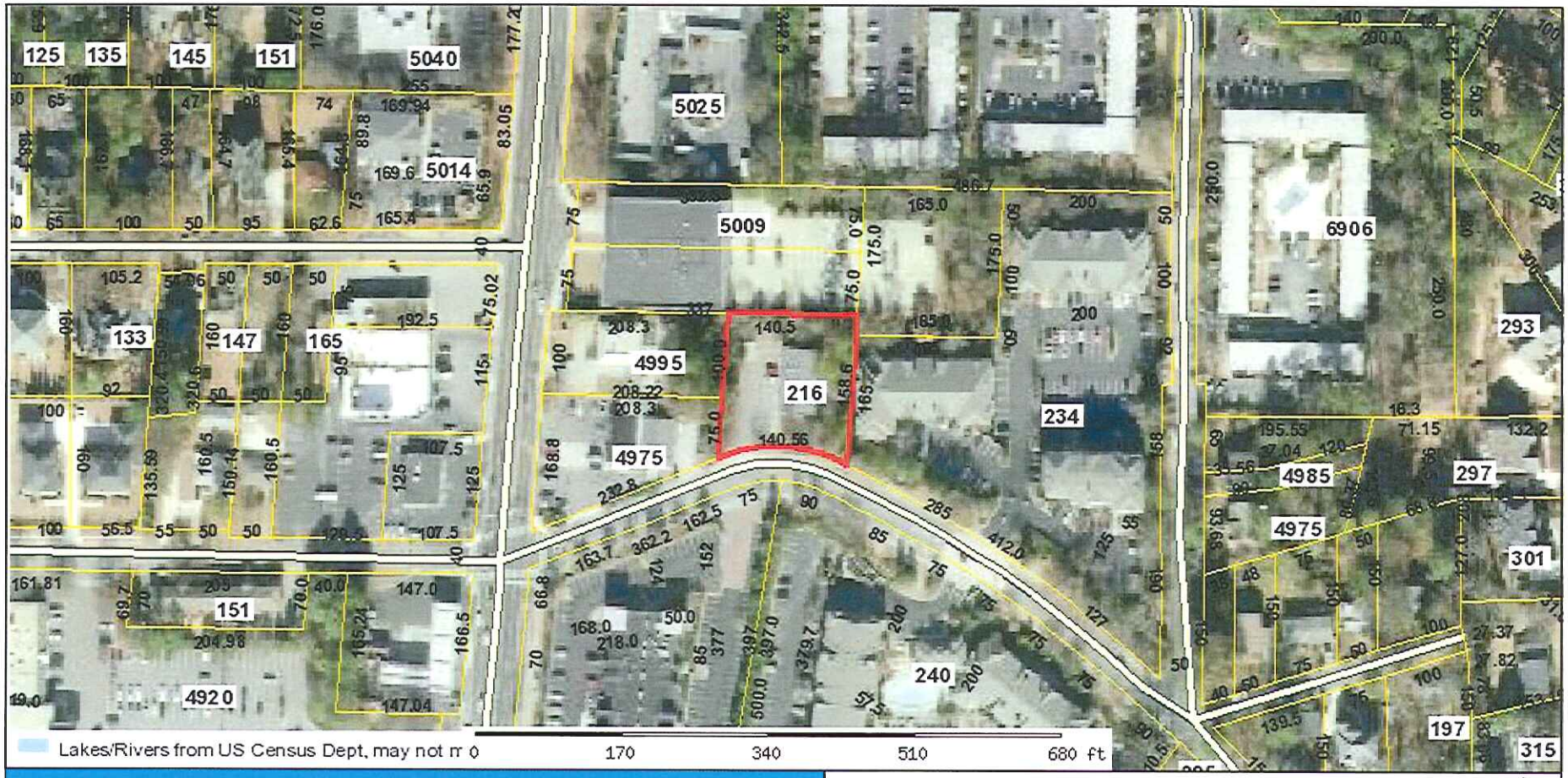
RESOLVED this the 11th day of September, 2012.

Approved:

_____
Eva Galambos, Mayor

Attest:

_____
Michael Casey, City Clerk
(Seal)



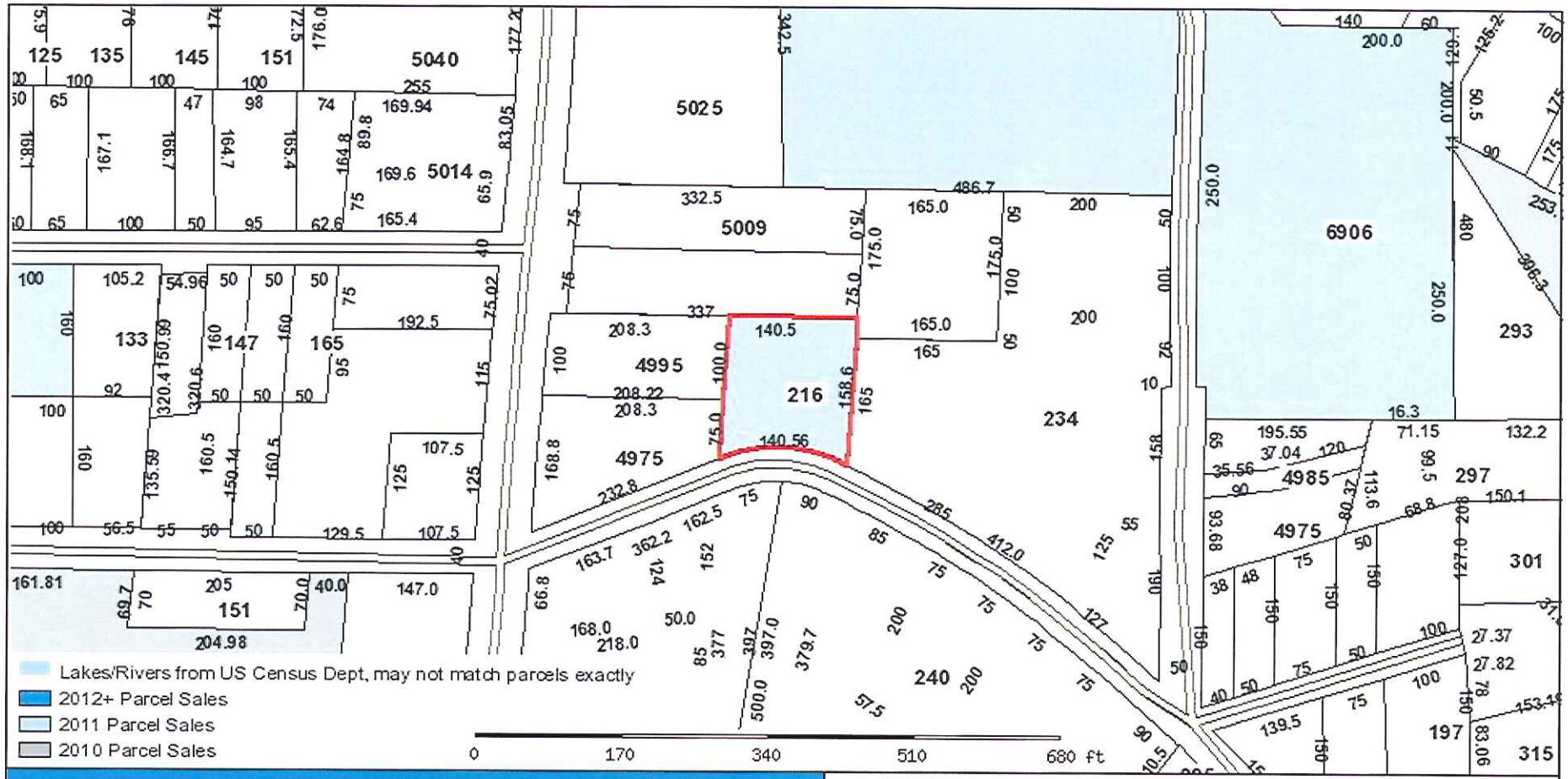
Right of Way Deed of Dedication; 216 E. Belle Isle Road; Belle Isle Animal Hospital

Parcel: 17 009300030579 Acres: 0

Name:	MAXEL LLC	Land Value	$ 264,340
Site:	216 BELLE ISLE RD	Building Value	$ 235,600
Sale:	$500,000 on 2011-02-18 Reason=U Qual=0	Misc Value	0
Mail:	216 E BELLE ISLE RD NE SANDY SPRINGS, GA 30342	Total Value:	$ 499,940

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: 08/23/12 : 11:11:18



Right of Way Deed of Dedication; 216 E. Belle Isle Road; Belle Isle Animal Hospital

Parcel: 17 009300030579 Acres: 0

Name:	MAXEL LLC	Land Value	$ 264,340
Site:	216 BELLE ISLE RD	Building Value	$ 235,600
Sale:	$500,000 on 2011-02-18 Reason=U Qual=0	Misc Value	0
Mail:	216 E BELLE ISLE RD NE SANDY SPRINGS, GA 30342	Total Value:	$ 499,940

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: 08/23/12 : 11:10:14

RIGHT OF WAY DEED

STATE OF GEORGIA
FULTON COUNTY

THIS INDENTURE, made this 23 day of August, 2012, between **Maxel, 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 93 of the 17th District of Fulton County, Georgia and being furthermore described in Deed Book 49902, Page 261-262. Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made partof by reference.

It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along East Belle Isle Road, with a total depth of 30 feet from existing centerline and equaling 512.68 square feet for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Dept. File No.: LDP-12-00001499.

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:

Maxel LLC

Unofficial Witness

By: _____(SEAL)
Name: Riva Wolkow
Title: President

Notary Public

Attest: _____(SEAL)

Notary Public, Cobb County, Georgia
My Commission Expires February 27, 2014

Exhibit A

Legal Description 216 East Belle Isle Road Atlanta, GA 30342

All that tract or parcel of land lying and being in Land Lot 93 of the 17th District of Fulton County, Georgia, and being more particular described as follows:

COMMENCING at a point at the intersection of the Eastern side of Right-of-Way of Roswell Road, having variable Right-of-Way, with the Northern side of Right-of-Way of East Belle Isle Road, having variable Right-of-Way, THENCE along Northern side of said Right-of-Way, 232.38 feet to an X-MARK THE TRUE POINT OF BEGINNING.
THENCE leaving said Right-of-Way run North 03 degrees 50 minutes 28 seconds East, a distance of 7.56 feet to a ½"rbs.
THENCE run along a curve having a radius 269.96 feet and an arc length of 76.77 feet, being subtended by a chord of North 82 degrees 48 minutes 34 seconds East for a distance of 76.51 feet to a point.
THENCE run along said a curve having a radius 186.98 feet and an arc length of 58.67 feet, being subtended by a chord of South 79 degrees 32 minutes 18 seconds East for a distance of 58.43 feet to point.
THENCE run South 65 degrees 53 minutes 34 seconds East, a distance of 4.84 feet to a ½"rbs.
THENCE to Northern side of Right-of-Way of East Belle Isle Road run South 04 degrees 27 minutes 45 seconds West, a distance of 3.39 feet to a ½"rbf.
THENCE along said Right-of-Way run North 69 degrees 44 minutes 00 seconds West, a distance of 6.42 feet to a point.
THENCE run along said Right-of-Way along a curve to the left having a radius 178.00 feet and an arc length of 129.88 feet, being subtended by a chord of South 89 degrees 21 minutes 47 seconds West for a distance of 127.02 feet to a point.
THENCE along said Right-of-Way run South 68 degrees 27 minutes 34 seconds West, a distance of 5.36 feet to a ½"rbf THE TRUE POINT OF BEGINNING.

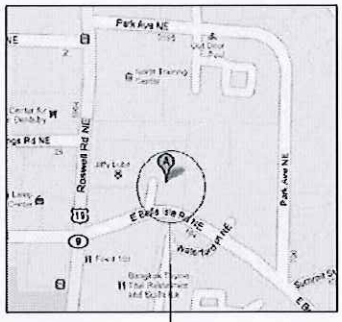
Said Tract Contains 0.011Acres.

The End.

Curve	Radius	Length	Chord	Chord Bear.
C1	178.00'	129.88'	127.02'	S 89°21'47" W
C2	186.98'	58.67'	58.43'	N 79°32'18" W
C3	269.96'	76.77'	76.51'	S 82°48'34" W

Course	Bearing	Distance
L1	N 69°44'00" W	6.42'
L2	S 68°27'34" W	5.36'
L3	S 04°27'45" W	3.39'
L4	N 65°53'34" W	4.84'
L5	N 03°50'28" E	7.56'

Exhibit B



VICINITY MAP
(NOT TO SCALE)

SITE

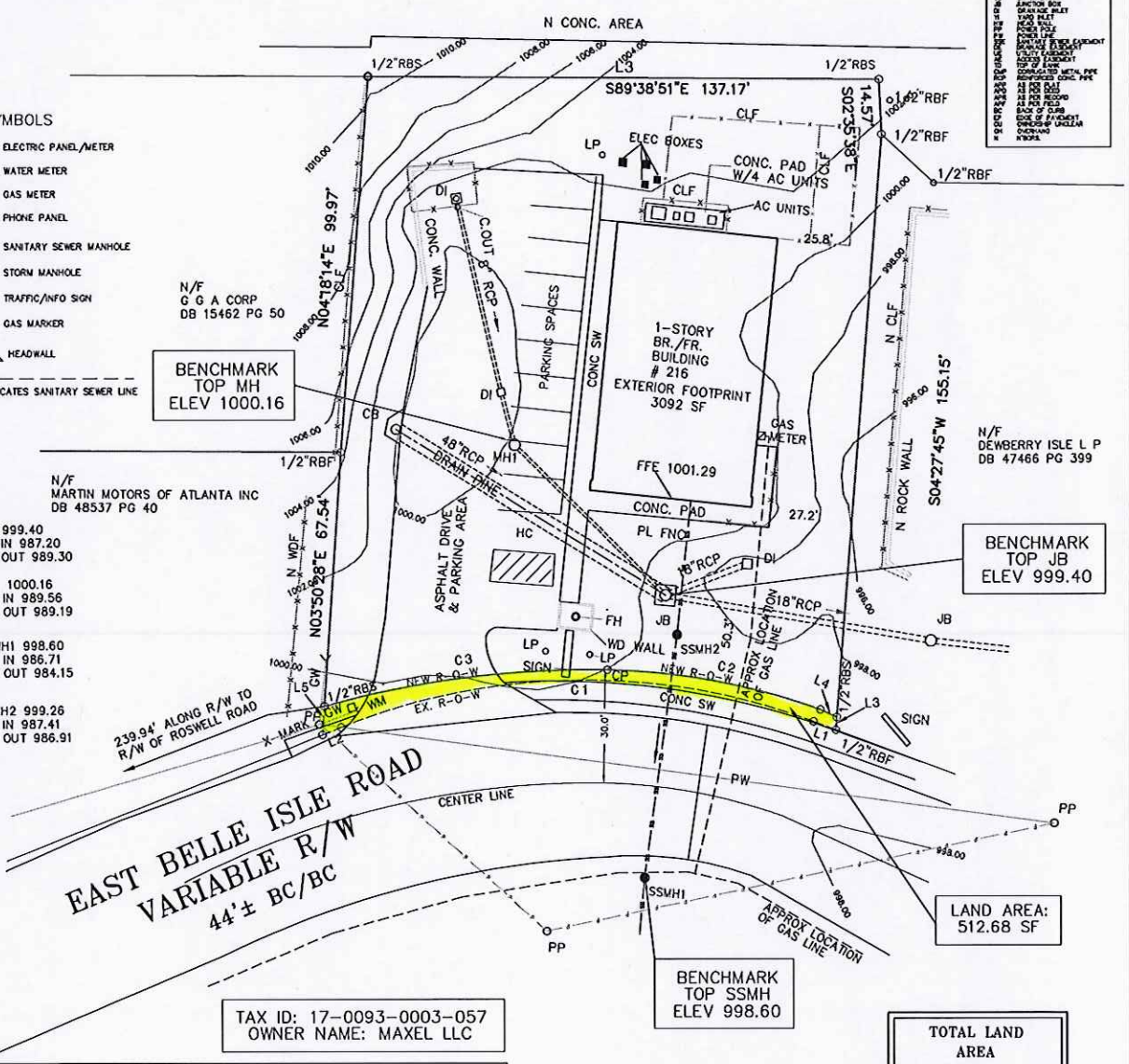
MAGNETIC

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (IS) (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL.
MAP ID 13121C0144 E EFFECTIVE DATE: JUNE 22, 1998
ZONE: X

IF YOU DIG GEORGIA...
CALL US FIRST
1-800-282-7411
770-933-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW

• LEGEND •

IPF IRON PIN FOUND
IPS IRON PIN SET
CTF CIRCLE TOP PIPE FOUND
CTS CIRCLE TOP PIPE SET
RBF REINFORCING BAR FOUND
A ANGLE IRON FOUND
C CALCULATED POINT
-x-x- FENCE
C/L CHAIN LINK FENCE
WDF WOOD FENCE
WIF WIRE FENCE
F/C FENCE CORNER
B/L BUILDING LINE
R/W RIGHT-OF-WAY
P/L PROPERTY LINE
P/C PROPERTY CORNER
C/L COVER LINE
CPT CARPORT
BR BRICK
FR FRAME
WD WOOD
B BOLT
D DEED
R RECORD
F FIELD
POB POINT OF BEGINNING
L/L LAND LOT LINE
MH MANHOLE
SSL SANITARY SEWER LINE
CB CATCH BASIN
JB JUNCTION BOX
DI DRAINAGE INLET
YI YARD INLET
HW HEAD WALL
PP POWER POLE
P/E POWER LINE
SDE SANITARY SEWER EASEMENT
DE DRAINAGE EASEMENT
UE UTILITY EASEMENT
AE ACCESS EASEMENT
TOE TOP OF BANK
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONC. PIPE
A/C AS PER CURVE
A/L AS PER LINE
A/R AS PER RECORD
A/F AS PER FIELD
B/C BACK OF CURB
E/P EDGE OF PAVEMENT
O/S OVERSHOT SEWER
O/H OVERHEAD
N/F NOW/FN



SYMBOLS

- ELECTRIC PANEL/METER
- WATER METER
- GAS METER
- PHONE PANEL
- SANITARY SEWER MANHOLE
- STORM MANHOLE
- TRAFFIC/INFO SIGN
- GAS MARKER
- HEADWALL
- INDICATES SANITARY SEWER LINE

TAX ID: 17-0093-0003-057
OWNER NAME: MAXEL LLC

TOTAL LAND
AREA
0.511 AC
22269.43 SF

PLAT PREPARED FOR:

MAXEL LLC
BELLE ISLE ANIMAL HOSPITAL LLC

LOT	BLOCK	
SUBDIVISION	UNIT	
LAND LOT 93	17TH DISTRICT	SECTION
FULTON COUNTY, GEORGIA		
FIELD WORK DATE MAR 21, 2012	SIGNED DATE AUG 15, 2012	

PROPERTY ADDRESS:
216 EAST BELLE ISLE ROAD
ATLANTA, GA 30342

ZONING DETAILS

ZONING – C2
FRONT SETBACK 40 FEET
SIDE SETBACK 25 FEET
REAR SETBACK 25 FEET
MINIMUM LOT FRONTAGE – 35 FEET
MAXIMUM BUILDING HEIGHT – 60 FEET
MAXIMUM NUMBER OF STORIES – FOUR
MINIMUM LOT AREA – NONE

GEORGIA REGISTERED No. 3197 PROFESSIONAL LAND SURVEYOR EUGENE A. STEPANOV

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES
COORD # 20110073
DWG # 20110073
P.O. BOX 420316
ATLANTA, GA 30342
TEL 404-252-5747
FAX 404-601-0941
INFO@SURVEYLANDEXPRESS.COM

0 30
SCALE 1" = 30'

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.