
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: January 10, 2012

FROM: John McDonough, City Manager

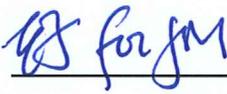
AGENDA ITEM: Consideration of the Acceptance of the dedication of the Right-of-Way Deed as part of the zoning requirements

MEETING DATE: For Submission onto the January 17, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 1/17/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:

TO: John McDonough, City Manager

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

DATE: January 4, 2012, for Submission onto the Consent Agenda of the January 17, 2012 City Council Meeting

ITEM: Consideration of the Acceptance of the dedication of the 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 dedication of all that tract or parcel of land lying and located in Land Lot 21 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is being dedicated by the property owners, McNair & Smith Development, LLC. The dedicated right of way totals 1,908.87 square feet and is being dedicated as required by conditions of zoning.

Background:

Right of way dedication is required per 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 property.

Discussion:

N/A

Alternatives:

N/A

Financial Impact:

N/A.

Attachments:

- I. Resolution
- II. Exhibits
 - Aerial Map
 - GIS Map
 - Right of Way Deed
 - Plats
 - Legal Description

*Public
Works*

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF THE RIGHT-OF-WAY ON PROPERTY
LOCATED IN LAND LOT 21 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 of the Right-of-Way Deed as required by the Development Ordinance, for McNair & Smith Development, LLC, located adjacent to the Peachtree Manor Development along Hunters Crossing Drive, Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the acceptance of the required 1,908.87 Square Feet of Right-of-Way located in land lot 21, of the 17th District, City of Sandy Springs, Fulton County, Georgia.

RESOLVED this the 17th day of January, 2012.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)

McNair & Smith Development, LLC ROW Dedication

Hunter's Crossing Drive (FIK/A Peachtree Dunwoody Road)



Selections

1 point

Map Printed On {2011-12-14 11:44}

Legend

- Base Map
- City Limit
- City Hall
- Private School
- Major Road
- City Street
 - Public Street
 - Private Street
 - Private Drive
- Sandy Spring 2010 Address Point
- Building Footprint
- City Plats/Parcel
- FC Parcel Digest 2009
- Park
- Aerial 2010
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

This map has been compiled from the most accurate source data from Fulton County and the City of Sandy Springs. This map is for informational purposes only and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For inquiries please contact the City of Sandy Springs.

Georgia, Fulton County

Right of Way Deed

This Indenture, made this 11 day of FEB, 2010, between **MCNAIR & SMITH DEVELOPMENT, LLC**, a Georgia limited liability company, as Grantor, and the **City of Sandy Springs**, 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:

All that tract or parcel of land lying and being in Land Lot 21 of the 17th District of Fulton County, Georgia, and being more particularly described in Exhibit "A" attached hereto and shown on the Plat attached as Exhibit "B".

It is the intent of the parties that Sandy Springs, Georgia, shall have a total Right of Way width of 30 feet from existing centerline of Peachtree-Dunwoody Road with a total take of 1908.87 sq ft for the purpose of road improvements.

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.

Bobby Nelson
Unofficial Witness

MCNAIR & SMITH DEVELOPMENT, LLC,
a Georgia limited liability company

[Signature]
Notary Public

By: [Signature] (Seal)
Print Name: JOHN M MCNAIR
Title: MEMBER

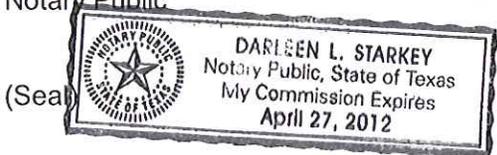


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 21, 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

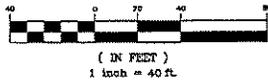
To find the TRUE POINT OF BEGINNING, commence at the intersection of the easterly right of way of Hunters Crossing Drive (f/k/a Peachtree Dunwoody Road) (Variable right of way) with the southerly right of way of Margate Drive; thence in a southerly direction along the easterly right of way of Hunters Crossing Drive a distance of 177.66' to the TRUE POINT OF BEGINNING; thence leaving said original right of way North 87 degrees 42 minutes 19 seconds East a distance of 10.89 feet to a ½" rebar found; thence South 01 degrees 54 minutes 17 seconds East a distance of 187.65' to an iron pin set; thence North 89 degrees 41 minutes 55 seconds West a distance of 10.00' to the original right of way of Hunters Crossing Drive; thence Along said original right of way North 01 degrees 54 minutes 17 seconds West a distance of 187.19' to the TRUE POINT OF BEGINNING.

Said tract containing 1908.87 square feet or 0.044 acres.

SURVEYORS NOTES:

1. THE FIELD DATA FOR THIS SURVEY WAS OBTAINED WITH A TOPCON GTS-303 TOTAL STATION.
2. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 216,339 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
3. THIS PLAT OR MAP HAS BEEN CALCULATED FOR CLOSURE AND HAVE A CLOSURE PRECISION RATIO OF 1 IN ±46,812.
4. A PORTION OF THE PROPERTY DEPICTED DOES LIE WITHIN A FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP PANEL 13121C0153.E DATED: JUNE 22, 1998.
5. UNDERGROUND UTILITIES AS SHOWN BY THIS SURVEY ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.

GRAPHIC SCALE



CURVE TABLE

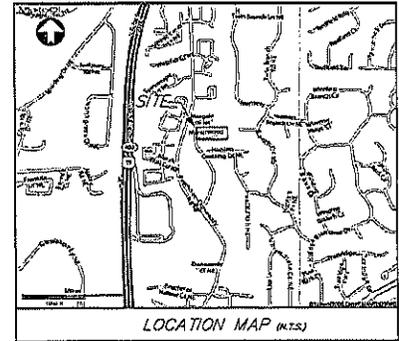
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	18.23	52.90	S87°21'42"E	13.17	42°10'17"
C2	14.01	40.47	S85°41'31"E	13.96	10°13'30"
C3	20.25	31.17	N73°43'30"E	16.90	37°13'58"
C4	39.72	25.27	N30°11'24"E	35.76	90°03'49"
C5	27.54	20.90	N57°37'54"E	26.00	61°02'01"
C6	28.08	47.98	N89°05'08"E	27.88	33°12'45"
C7	20.91	80.00	S88°40'22"E	20.86	1°15'00"
C8	13.13	24.24	N80°00'20"E	12.97	31°02'17"
C9	13.70	53.50	S69°47'54"W	13.00	48°02'09"

SITE SPECIFIC SETBACK ZONING AND SITE INFORMATION:

1. PRESENT ZONING: TR
2. SETBACKS:
FRONT: 40' BL
SIDE: 7' OR 14' BETWEEN STRUCTURES
REAR: 10' BL

LINE TABLE

LINE	LENGTH	BEARING
L1	76.57	N01°34'17"W
L2	21.99	S87°19'05"W
L3	20.38	S87°19'05"W
L4	13.14	N88°45'07"E
L5	14.08	S87°40'38"W
L6	15.77	S87°08'37"W
L7	32.51	S87°04'35"W
L8	76.63	S01°54'17"E



ENCROACHMENTS:

- 7 BUILDING #1005 ENCLOSES INTO 20' DRAINAGE EASEMENT
- 8 30x30 EASEMENT FOR WATER VAULT ENCLOSES INTO NEW RIGHT OF WAY

LEGEND

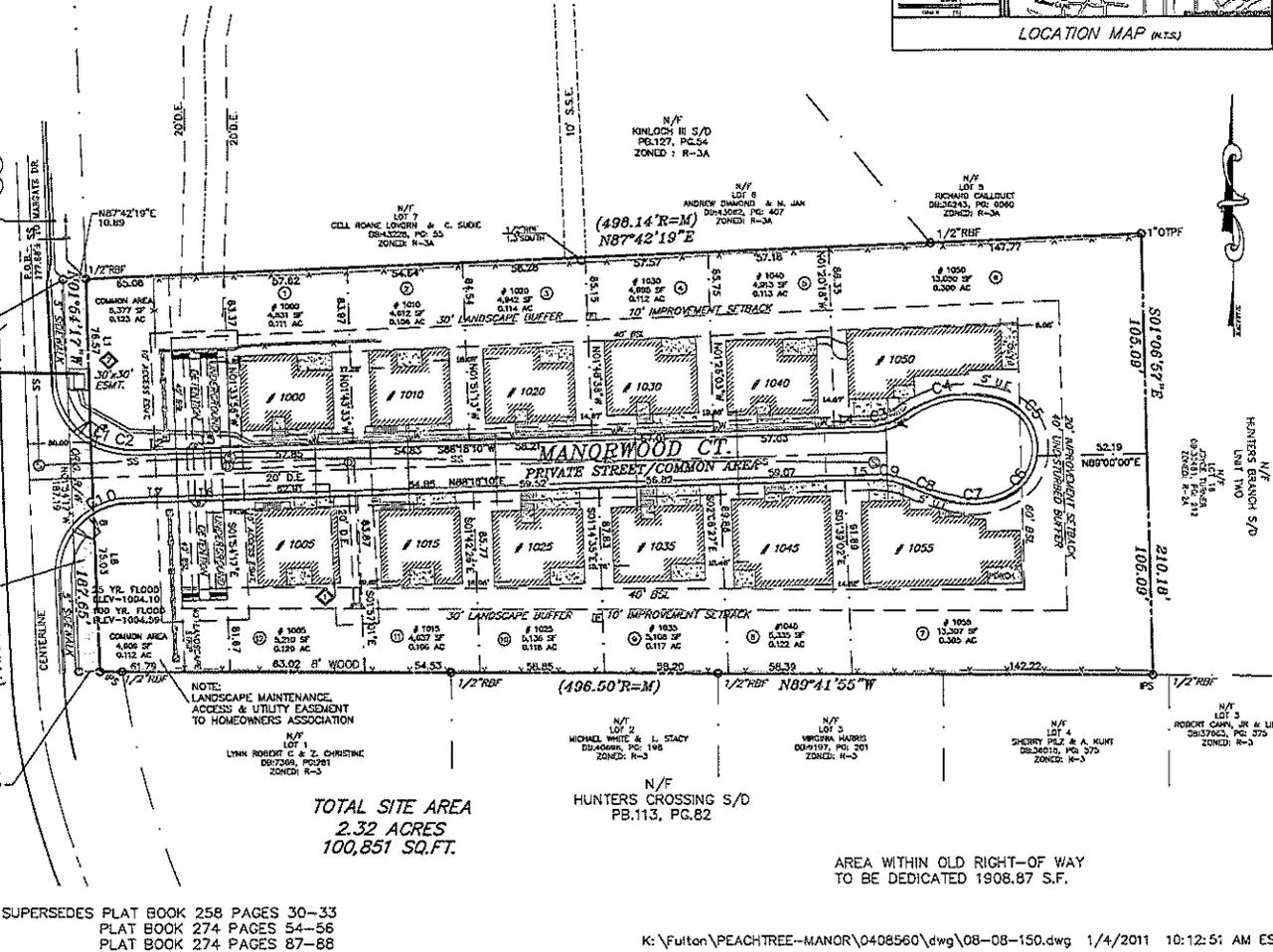
- FORCE
- RAILROAD
- GAS LINE
- WATER LINE
- UNDER GROUND POWER LINE
- AERIAL POWER LINE
- UNDER GROUND SOUTHERN BOLL
- AERIAL SOUTHERN BOLL
- POWER POLE
- LIGHT POLE
- CITY WIRE
- WATER VALVE
- WATER METER
- GAS VALVE
- GAS METER
- FIRE HYDRANT
- CHIMNEY TOP PIPE
- OPEN TOP PIPE
- REINFORCING BARR
- TEMPORARY BENCHMARK
- CURB INLET
- HEADWALL
- SINGLE WING CATCH BASIN
- DOUBLE WING CATCH BASIN
- IRON PIN FOUND/SET
- COMPUTED POINT
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- GEORGIA POWER MANHOLE
- RIGHT OF WAY MONUMENT
- CORRUGATED METAL PIPE
- REINFORCED CONCRETE PIPE
- BUTYLE IRON PIPE
- IRON WITH CHAINS
- IRON PIN SET - 1/2" BS
- IRON PIN FOUND
- PROPOSED PROP. LINES

CURRENT OWNERS UNIT/ADDRESS	DATE
#1000 Linda J. and Steven N. Sandler	
#1005 Harvey & Chiteka O. Jackson	
#1010 The Dandelides Family Trust	
#1015 Robert J. Gronck & Veronica T. Gronck	
#1020 Cheryl Wachtel and Scott Wachtel	
#1025 Kristine Luu	
#1030 Willie J. & Lee T. Locust	
#1035 Maureen E. De Blois	
#1040 Fred J. Griffin	
#1045 Alexander Razumovsk & Natalie Razumovsk	
#1050 Andrea Saffran Engelman and Luba Webin Saffran	
#1055 Steven E. & Nancy B. Levin	

NOTE
ORIGINAL P.O.B. - 3000' OF ALDING THE ORIGINAL EASTWESTLY 40' R/W OF PEACHTREE DUNWOODY ROAD TO THE INTERSECTION OF SAID R/W AND THE SOBERLY ORIGINAL R/W OF SPALDING ROAD (FOR DEED BOOK 258A, PAGE 107)

F-351
N=1432184.803
E=2231857.025
ELLV.=958.020

F-451 AZMK
N=1432208.622
E=2234203.973
ELLV.=949.919



TOTAL SITE AREA
2.32 ACRES
100,851 SQ.FT.

AREA WITHIN OLD RIGHT-OF WAY
TO BE DEDICATED 1908.87 S.F.

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.

GA. R.L.S. No.2139



LOCATED IN
PEACHTREE MANOR S/D
LAND LOT 21, 17TH DISTRICT
FULTON COUNTY, GEORGIA
DATE: JULY 22, 2010
SCALE: 1" = 40'
JOB NO.: 08-08-150

REV.	COUNTY COMMENTS
7/22/10	CITY COMMENTS
10/22/10	CITY COMMENTS
2/2/11	ORIGINAL P.C.B.

FINAL PLAT
FOR
PEACHTREE MANOR
TAX PARCEL ID #017-021-04-012

GRANT SHEPHERD & ASSOCIATES, INC.
LAND SURVEYING • PLANNING
3751 VENTURE DRIVE, SUITE 205
GWINNETT PLACE BUSINESS PARK
DULUTH, GEORGIA 30096
OFFICE: 770-418-9823
FAX: 770-418-9289
EMAIL: grant@gsasurveying.com
www.gsasurveying.com

SHEET: 3 OF 3

EXHIBIT "B"

I:\Projects\08-08-150\08-08-150.dwg, 11/16/2011 8:35:31 AM, 1:1