



TO: John McDonough, City Manager

FROM: Kevin Walter, Public Works Director

DATE: July 11, 2011, for Submission onto Consent Agenda of the August 2, 2011, City Council Meeting

ITEM: Consideration of Approval of the Acceptance of the Donation of the Right-of-Way as part of zoning requirements.

Public Works Department's Recommendation:

The staff recommends that the Mayor and City Council accept the right-of-way donations listed below:

- Tract or parcel of land lying and located in Land Lot 162 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by Jill Harris of 665 Mount Paran Road. The donated right of way totals 4,466 Square Feet and is being donated 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 Right of Way office for donation of property.

Discussion:

The attached exhibit includes the Legal Description and Right-of-Way drawing.

Alternatives:

N/A

Financial Impact:

N/A.

Attachments:

- I. Resolution
- II. Exhibits
- III. Aerial Map
- IV. GIS Map

*Public
Works*

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF THE RIGHT-OF-WAY ON PROPERTY
LOCATED IN LAND LOT 162 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 donation of the right-of-Way as required by the Development Ordinance, for Jill Harris of 665 Mount Paran Road.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the requested 4,466 Square Feet of Right-of-Way located in Land Lot 162 of the 17th District, City of Sandy Springs, Fulton County, Georgia.

RESOLVED this the 2 day of August, 2011.

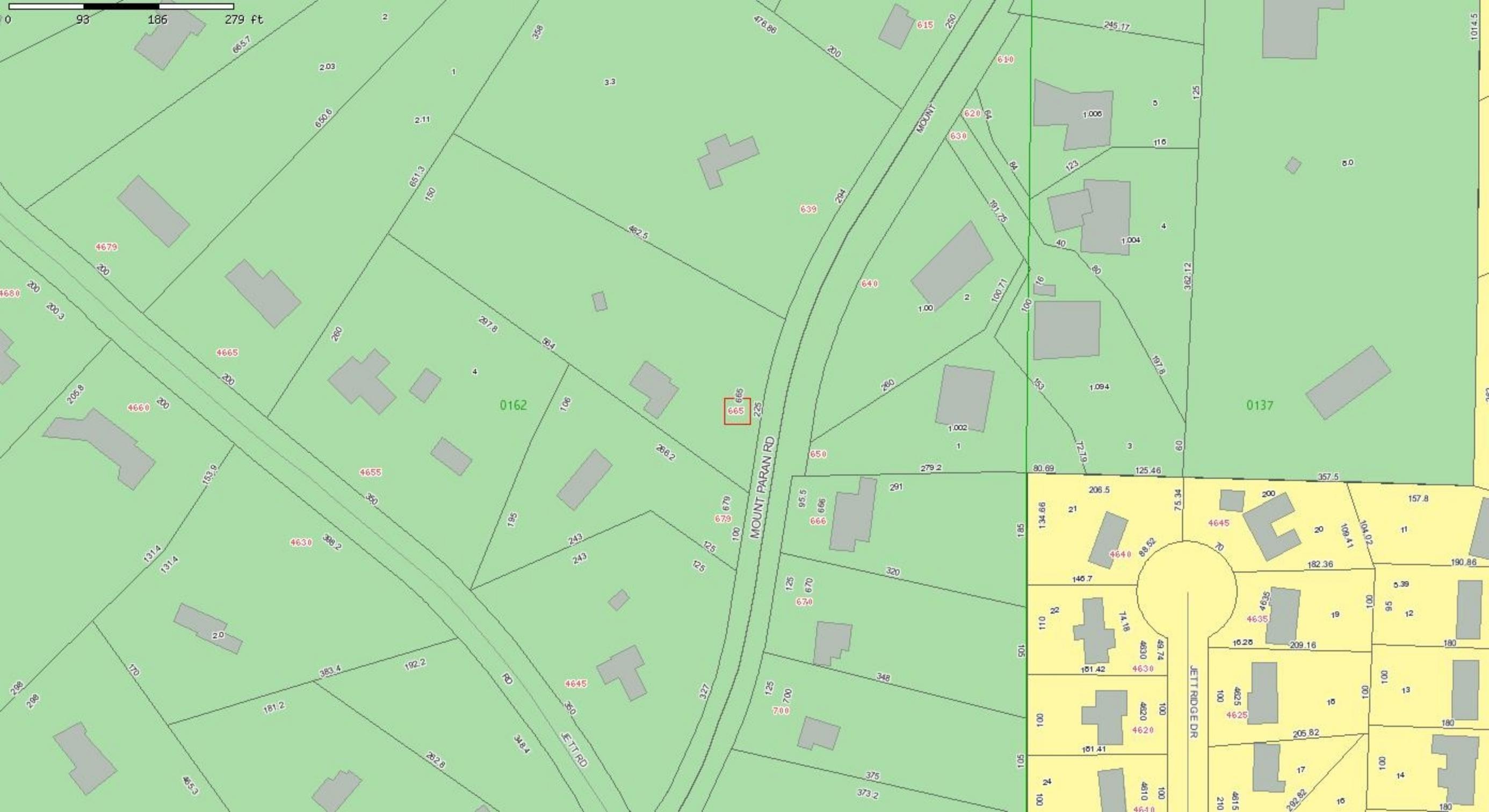
Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)





RIGHT OF WAY DEED

**STATE OF GEORGIA
FULTON COUNTY**

THIS INDENTURE, made this 17th day of June, 2011 between the undersigned and 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 162 of the 17 District of Fulton County, Georgia, as described in Deed Book# 49986, Page# 241 and more particularly described as follows:

See Exhibit "A"

IT IS THE INTENT OF THE PARTIES THAT SANDY SPRINGS, GEORGIA, SHALL HAVE A TOTAL ACQUISITION OF RIGHT OF WAY IN THE AMOUNT OF 4466 SQ. FT. FOR THE PURPOSE OF ROAD IMPROVEMENTS TO MT. PARAN ROAD.

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:

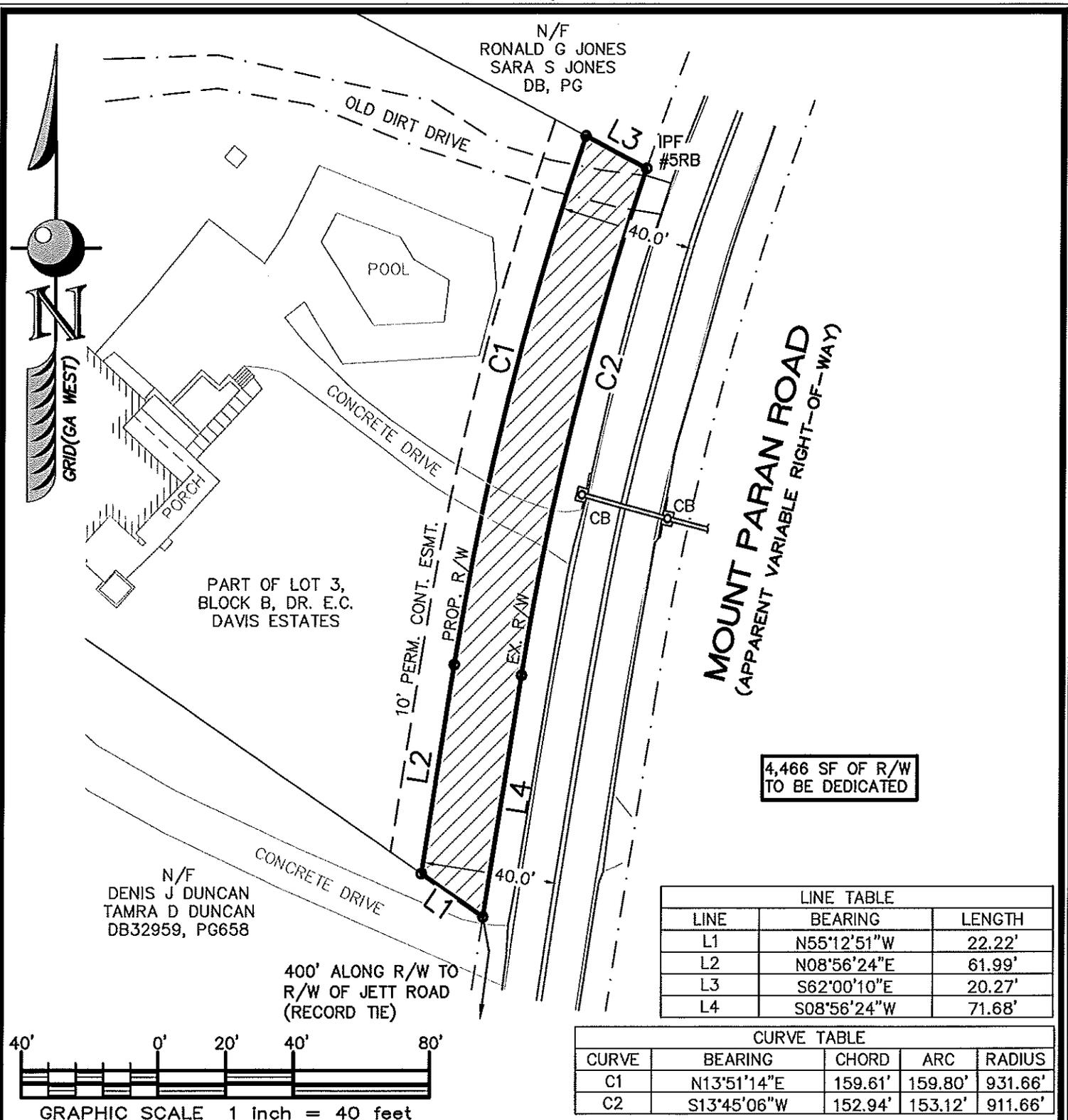
[Signature]
Witness

BY [Signature] (L.S.)
NAME: Jill Harris

[Signature]
Notary Public



EXHIBIT "A"



N/F
RONALD G JONES
SARA S JONES
DB, PG

MOUNT PARAN ROAD
(APPARENT VARIABLE RIGHT-OF-WAY)

PART OF LOT 3,
BLOCK B, DR. E.C.
DAVIS ESTATES

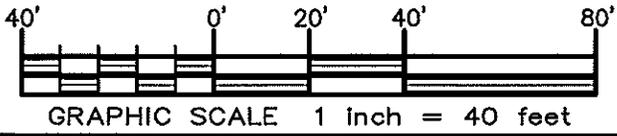
N/F
DENIS J DUNCAN
TAMRA D DUNCAN
DB32959, PG658

4,466 SF OF R/W
TO BE DEDICATED

400' ALONG R/W TO
R/W OF JETT ROAD
(RECORD TIE)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N55°12'51"W	22.22'
L2	N08°56'24"E	61.99'
L3	S62°00'10"E	20.27'
L4	S08°56'24"W	71.68'

CURVE TABLE				
CURVE	BEARING	CHORD	ARC	RADIUS
C1	N13°51'14"E	159.61'	159.80'	931.66'
C2	S13°45'06"W	152.94'	153.12'	911.66'



GENERAL NOTES
 1. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
 2. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON.
 3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. AN OPENED END TRAVERSE WAS USED TO GATHER FIELD DATA.

R/W DEDICATION AND PERMANENT CONSTRUCTION EASEMENT EXHIBIT FOR:
THE CITY OF SANDY SPRINGS
 PART OF LOT 3, BLOCK B
 DR. E.C. DAVIS ESTATES
 LAND LOT 162 OF THE 17TH DISTRICT
 FULTON COUNTY, GEORGIA



SOUTHEASTERN ENGINEERING INC.
 2470 Sandy Plains Rd. Suite A
 Marietta, Georgia • 30066
 tel: 770-321-3936 fax: 770-321-3935

SCALE: 1" = 40'
 DATE: 06/16/10
 JOB No. -
 608-11-025

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 162 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the Westerly variable right-of-way of Mount Paran Road as measured 400 feet more or less Northerly from the right-of-way of Jett Road; THENCE departing said right-of-way and proceeding NORTH 55 DEGREES 12 MINUTES 51 SECONDS WEST a distance of 22.22 feet to a point; THENCE proceeding NORTH 08 DEGREES 56 MINUTES 24 SECONDS EAST a distance of 61.99 feet to a point; THENCE proceeding northeasterly 159.80 feet along the arc of a curve (said curve having a radius of 931.66 feet and chord distance of 159.61 feet and chord bearing of NORTH 13 DEGREES 51 MINUTES 14 SECONDS EAST) to a point; THENCE proceeding SOUTH 62 DEGREES 00 MINUTES 10 SECONDS EAST a distance of 20.27 feet to a point and No. 5 re-bar found on the aforesaid right-of-way of Mount Paran Road; THENCE proceeding southwesterly 153.12 feet along the arc of a curve (said curve having a radius of 911.66 feet and chord distance of 152.94 feet and chord bearing of SOUTH 13 DEGREES 45 MINUTES 06 SECONDS WEST) to a point; THENCE proceeding SOUTH 08 DEGREES 56 MINUTES 24 SECONDS WEST along said right-of-way a distance of 71.68 feet to a point and POINT OF BEGINNING.

Containing 4,466 square feet or 0.103 acres more or less.