



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** April 20, 2011

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of Approval of Land Exchange for property located at 185 Allen Road, Land Lot 90, 17th District as a right of way donation of .023 acres for an abandonment of .027 acres on same parcel of land

MEETING DATE: For Submission onto the May 3, 2011, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER: JMM APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 5/3/11

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: LMM

REMARKS:



TO: John McDonough, City Manager

FROM: Thomas Black, Public Works Director

DATE: April 19, 2011, for Submission onto the Agenda of the May 3, 2011 City Council Meeting

ITEM: Consideration of Approval of Land Exchange for property located at 185 Allen Road, Land Lot 90, 17th District as a right of way donation of .023 acres for an abandonment of .027 acres on same parcel of land.

Public Works Department's Recommendation:

The staff requests and recommends that the Mayor and City Council consider and approve the abandonment 0.027 acres of excess right of way adjacent to the Applicant's property located at 185 Allen Road; in Land Lot 90 of the 17th District of Fulton County, Georgia. In exchange, the Applicant agrees to dedicate .023 acres of land along the Allen Road frontage and rear of the property which is adjacent to the I-285 right of way.

Background:

As far back as 1970, plans were made to construct a cul-de-sac on Allen Road as part of the local circulation improvement under the County's capital improvements plan. At that time, the property owner of 185 Allen Road dedicated the necessary rights of way to the County for this cul-de-sac to be constructed. Over the course of the past 40 years, the cul-de-sac was never constructed and the overlay and master plans have changed significantly. The cul-de-sac is no longer part of the City's long-term plans and the right of way that currently exists creates an undue burden upon the current owners as it creates an unusual set-back line from the existing right of way along Allen Road.

Discussion:

The Applicant has reached out to the City in good faith to seek abandonment of the excess right of way along a portion of the property's frontage along Allen Road. In exchange, they have agreed to dedicate to the City enough right of way along Allen Road to comply with the current overlay district, which will allow the City to construct future streetscape improvements without having to acquire any additional right of way. In addition, the Applicant will also dedicate to the City a strip of fee simple land along the rear of the property parallel to the I-285 right of way (on-ramp off of Roswell Road). The attachments sent forth with this request depict the excess right of way and legal descriptions to be abandoned, and the fee simple land the City shall receive in exchange.

Alternatives: The council could elect to reject the request for abandonment and subsequent land exchange.

Financial Impact: The fee simple land being dedicated at no cost to the City has a greater long term benefit than the excess right of way the Applicant is seeking through the abandonment process. The right-of-way swap will allow the owner to build his new office on the property and support new economic development within the City.

Attachments:

I. Resolution

II. Exhibits

- Aerial Map
- GIS Map
- Plat
- Legal Descriptions

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF THE RIGHT-OF-WAY ON PROPERTY
LOCATED IN LAND LOTS 90 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 approves the Land Exchange located at 185 Allen Road, Land Lot 90, 17th District receiving 0.023 acres from the rear of the property and abandoning 0.027 acres from the front of the property.

RESOLVED this the 3rd day of May 2011.

Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)

0 47 94 141 ft



144 144
200

174 174
100

180

0090
ALLEN RD

220

173

183

200

185

100

183

201 201

293

5788

73.1

246.8

229.8

214.9

204

184.5

168.3

168.9

118

234.5

5788

72.8

75

182.7

110.7

327.25

215.8

75

5830

183.4

184

5810

8381

216 216

111.7

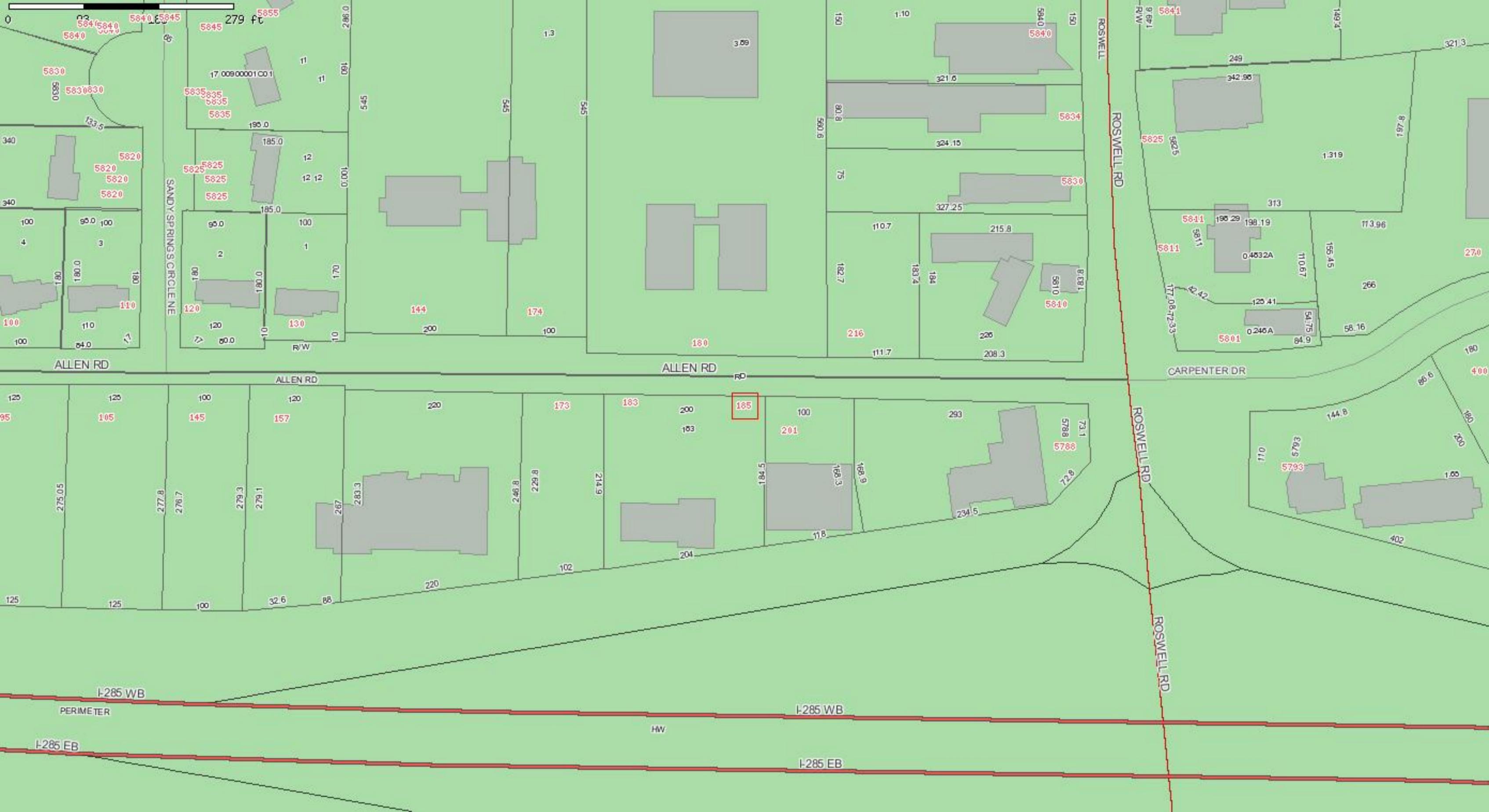
226

208.3

5810

102

ROSWELL RD



Road Abandonment Application

Please complete the following information.

Name IB Property Holdings, LLC

Address 4425 Ponce de Leon Boulevard, 4th Floor

City Coral Gables State FL Zip 33146

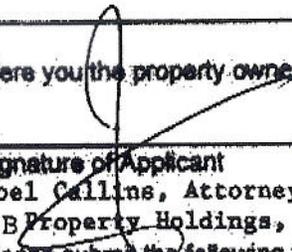
Phone (404) 681-5826 Fax ()

E-mail jcallins@callins.com

Address of property to be abandoned:
185 Allen Road

Reason for requesting property to be abandoned:
Property exchange for more usable right-of-way

Were you the property owner when it was acquired by the local government? Yes No


Signature of Applicant
Joel Collins, Attorney for
IB Property Holdings, LLC

3/30/21
Signature Date

Please submit the following to Jean Collins at the address below.

Required documentation and fee:

1. Survey with metes and bounds description of property requesting to be abandoned.
2. Four copies of completed application, and
3. Abandonment Application Fee of \$200.00.

Right of Way Office
Department of Public Works
Sandy Springs City Hall
7840 Roswell Road, Bldg. 500
Sandy Springs, Georgia 30350

Staff Comments:

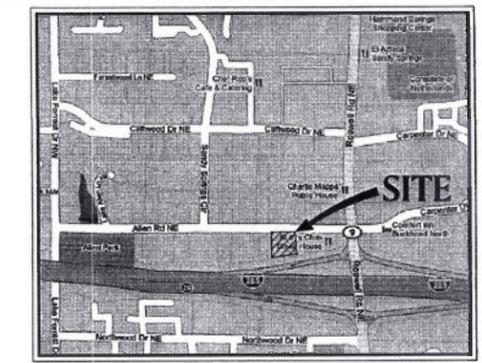
*****APPLICATIONS ARE PROCESSED IN THE ORDER RECEIVED*****

SYMBOL LEGEND	
	BENCHMARK
	TEST HOLE
	PROPERTY CORNER FOUND
	MONUMENT FOUND
	PROPERTY CORNER SET
	MONUMENT SET
	PAINTED TRAFFIC ARROW
	DIRECTIONAL REFERENCE TRAFFIC ARROW (UNPAINTED)

LINE LEGEND	
	SITE BOUNDARY LINE
	ADJACENT PROPERTY LINE
	INTERIOR PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING ROAD CENTERLINE
	EXISTING CURB & GUTTER
	EXISTING FENCE
	EXISTING RETAINING WALL

ABBREVIATION LEGEND	
CB	CATCH BASIN
CMP	CORRUGATED METAL PIPE
CIT	CRIMP TOP PIPE FOUND
LE	LEAST ELEVATION
OIF	OPEN TOP PIPE FOUND
PVC	POLYVINYL CHLORIDE PIPE
RF	REBAR FOUND
RBS	REBAR SET
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
RMWF	RIGHT OF WAY MONUMENT FOUND
SSM	SANITARY SEWER MANHOLE

APPLICANT DEDICATES TO CITY
CITY ABANDONS/CONVEYS TO APPLICANT

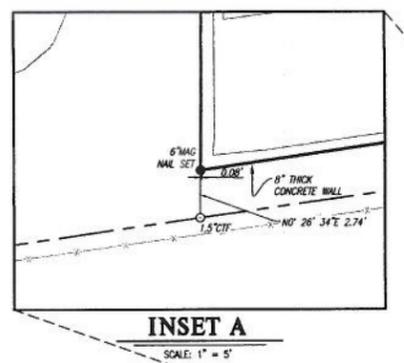
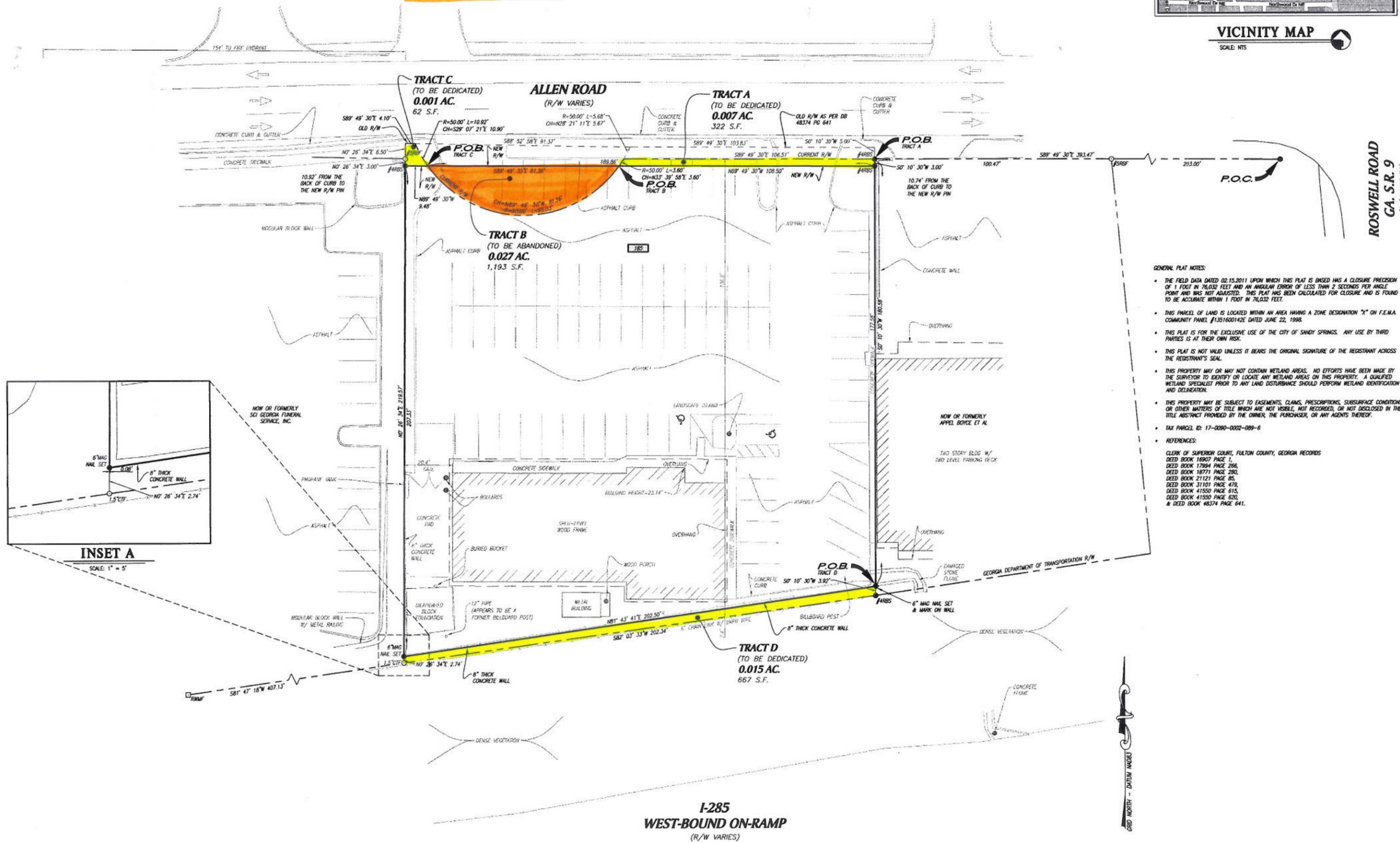


VICINITY MAP
SCALE: NTS

LAND PLANNERS
ENGINEERS • SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS

85-A MILL STREET
SUITE 200
ROSWELL, GEORGIA 30075
VOICE 770.650.7685
FAX 770.650.7684
www.paulsonmitchell.com

PAULSON MITCHELL
INCORPORATED



- GENERAL PLAT NOTES:
- THE FIELD DATA DATED 02.15.2011 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 76,032 FEET AND AN ANGULAR ERROR OF LESS THAN 2 SECONDS PER ANGLE POINT AND WAS NOT ADJUSTED. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 76,032 FEET.
 - THIS PARCEL OF LAND IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" ON F.E.M.A. COMMUNITY PANEL #1351600142C DATED JUNE 22, 1998.
 - THIS PLAT IS FOR THE EXCLUSIVE USE OF THE CITY OF SANDY SPRINGS. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
 - THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.
 - THIS PROPERTY MAY OR MAY NOT CONTAIN WETLAND AREAS. NO EFFORTS HAVE BEEN MADE BY THE SURVEYOR TO IDENTIFY OR LOCATE ANY WETLAND AREAS ON THIS PROPERTY. A QUALIFIED WETLAND SPECIALIST PRIOR TO ANY LAND DISTURBANCE SHOULD PERFORM WETLAND IDENTIFICATION AND DELINEATION.
 - THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE ABSTRACT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.
 - TAX PARCEL ID: 17-0090-0002-089-6
 - REFERENCES:
CLERK OF SUPERIOR COURT, FULTON COUNTY, GEORGIA RECORDS
DEED BOOK 18907 PAGE 7
DEED BOOK 17994 PAGE 286
DEED BOOK 18771 PAGE 280
DEED BOOK 21121 PAGE 85
DEED BOOK 31101 PAGE 478
DEED BOOK 41550 PAGE 615
DEED BOOK 41550 PAGE 620
& DEED BOOK 48374 PAGE 641.

LAND EXCHANGE PLAT FOR
CITY OF SANDY SPRINGS
185 ALLEN ROAD
LAND LOT 90
17TH DISTRICT
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA



REVISIONS
03.29.11 CITY OF SANDY SPRINGS COMMENTS

PROJECT NUMBER: 2010184.41
DATE: 03.16.2011
FIELD DATE: 02.15.2011
SCALE: 1" = 20'
DRAWN BY: B. WELLS
CHECKED BY: D. RAINES
FILE NAME: 20101844exh.dwg

I-285
WEST-BOUND ON-RAMP
(R/W VARIES)

