





TO: John McDonough, City Manager

FROM: Tom Black, Public Works Director

DATE: March 22, 2011 for Submission onto the Consent Agenda of the April 5, 2011 City Council Meeting

ITEM: Acceptance of Right-of-Way Donation and a Temporary Driveway Easement for the City of Sandy Springs-FY 10-6010-10 & 11-Mount Paran Road - Long Island Drive to Powers Ferry Road and Mount Paran Road to Roswell Road Sidewalk Project, Land Lot 120 of the 17<sup>th</sup> District.

***Public Works Department's Recommendation:***

Staff recommends that the Mayor and City Council accept the Right-of-Way Donation and a Temporary Driveway Easement for the City of Sandy Springs-FY 10-6010-10 & 11-Mount Paran Road - Long Island Drive to Powers Ferry Road and Mount Paran Road to Roswell Road Sidewalk Project - Parcel 3 - 198 Mount Paran Road, in Land Lot 120 of the 17<sup>th</sup> District. This Right-of-Way donation and Temporary Driveway Easement is being made by the property owner, Lamar H. Gilbert of 198 Mount Paran Road.

***Background:***

The donation totals a 111 Square Feet miter of fee simple right of way and includes a Temporary Driveway Easement for the re-construction of that portion of the Grantor's driveway shown on Exhibit B of the said document.

***Discussion:***

The attached exhibits include the location and area of the executed right-of-way as well as right-of-way deed and plat showing the location of the property. This work is being done with as little inconvenience to the property owner as possible. This right of way miter was donated at no cost to the City of Sandy Springs.

***Alternatives:***

The Council could decide to not accept these donations and not do the sidewalk improvements.

***Financial Impact:***

The property is being donated to the City.

***Attachments:***

- I. Resolution
- II. Aerial map of site
- III. GIS map of site
- IV. Copy of Right of Way Deed
- V. Plat attached to Deed

*Public  
Works*

STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT RIGHT-OF-WAY ON PROPERTY LOCATED IN LAND LOT 120  
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

**WHEREAS**, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and approves the acceptance of a Right of Way Donation to the City of Sandy Springs for Parcel 3, Project Number FY 10-6010 – 10 & 11 – Mount Paran Road Long Island Drive to Powers Ferry Road and Mount Paran Road to Roswell Road Sidewalk Improvement Project located on Land Lot 120 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA**

To facilitate the – T-6010-10 & 11, Mount Paran Road - Long Island Drive to Powers Ferry Road and Mount Paran Road to Roswell Road Sidewalk Improvement Project, Land Lot 120 of the 17<sup>th</sup> District, project, the City approves the acceptance of all the Right of Way Donation which includes a Temporary Driveway Easement located on Land Lot 120 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia.

**RESOLVED** this 5<sup>th</sup> day of April, 2011.

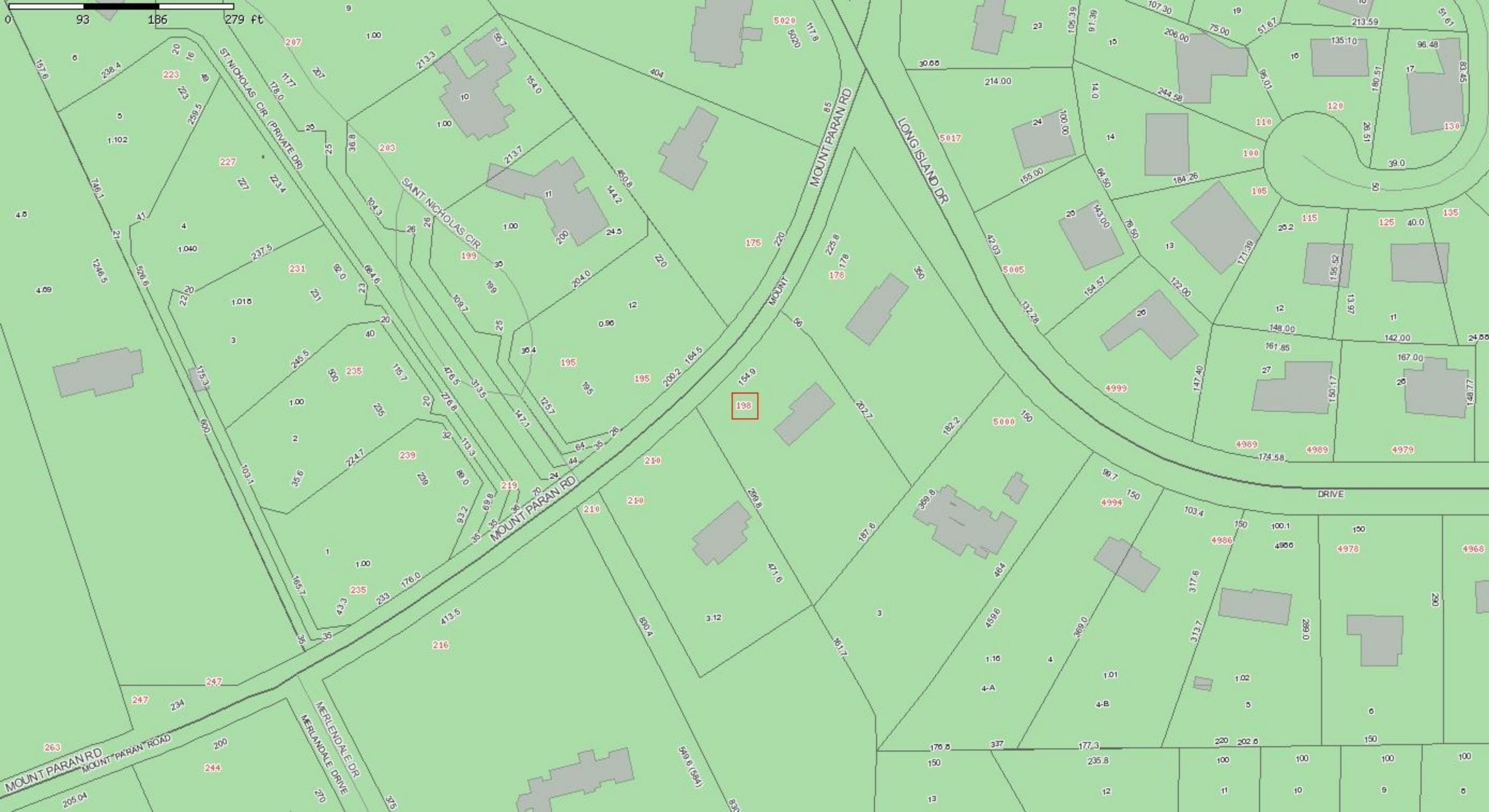
Approved:

\_\_\_\_\_  
Eva Galambos, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)





198

93 186 279 ft

MOUNT PARAN RD  
MOUNT PARAN ROAD  
205.04

MERLENDALE DR  
MERLENDALE DRIVE  
270

SANT NICHOLAS CIR

MOUNT PARAN RD  
LONG ISLAND DR

DRIVE

**RIGHT OF WAY DEED**

**STATE OF GEORGIA  
FULTON COUNTY**

**THIS INDENTURE**, made this 4 day of March, 20 11, between the undersigned, **Lamar H. Gilbert**, as Grantor(s), 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:

All that tract or parcel of land lying and being in Land Lot 120 of the 17<sup>th</sup> District of Fulton County, Georgia, as described in Deed Book 45587, Page 298, and being more particularly as follows:

**See attached Exhibit "A" and "B"**

IT IS THE INTENT OF BOTH PARTIES THAT THE CITY OF SANDY SPRINGS, GA SHALL ACQUIRE A TOTAL AMOUNT OF FEE SIMPLE RIGHT OF WAY IN THE AMOUNT OF 111 SQUARE FEET, FOR THE PURPOSES TO BE USED FOR THE SIDEWALK PROJECT.

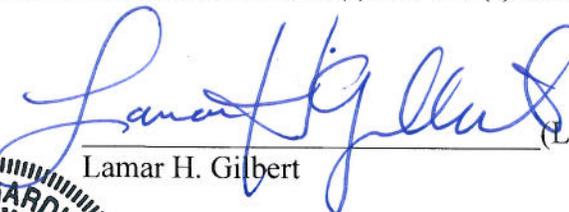
Grantor further grants the Grantee a Temporary Driveway Easement for the re-construction of that portion of the Grantor's driveway shown in the easement area on Exhibit "B". Said temporary driveway easement rights shall expire upon the completion and the acceptance of the project by the City of Sandy Springs, GA.

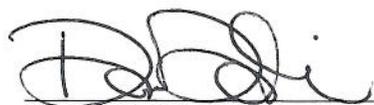
To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

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.

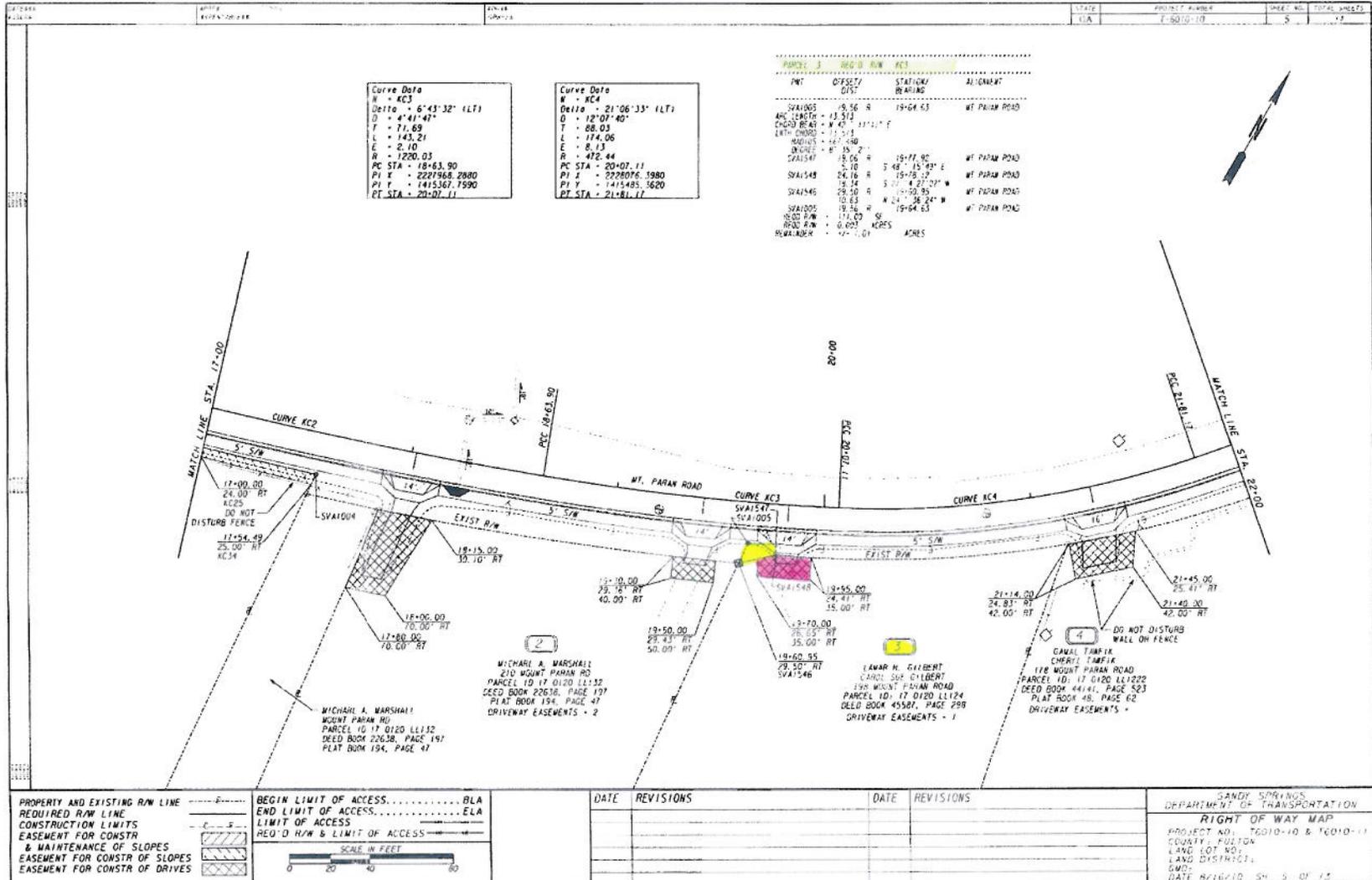
In witness whereof, Grantor(s) has (have) hereunto set his/her/their hand(s) and seal(s) the day and year above written.

  
\_\_\_\_\_  
Unofficial Witness

  
\_\_\_\_\_  
Lamar H. Gilbert (L.S.)

  
\_\_\_\_\_  
Notary Public





PROPERTY AND EXISTING R/W LINE ————

REQUIRED R/W LINE ————

CONSTRUCTION LIMITS ————

EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES ————

EASEMENT FOR CONSTR OF SLOPES ————

EASEMENT FOR CONSTR OF DRIVES ————

BEGIN LIMIT OF ACCESS ———— BLA

END LIMIT OF ACCESS ———— ELA

LIMIT OF ACCESS ————

REQ'D H/W & LIMIT OF ACCESS ————

SCALE IN FEET

0 20 40 60

DATE	REVISIONS	DATE	REVISIONS

SANDY SPRINGS  
 DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY MAP**  
 PROJECT NO.: T6010-10 & T6010-11  
 COUNTY: FULTON  
 LAND LOT NO.:  
 LAND DISTRICT:  
 GMD:  
 DATE 8/16/10, SH. 5 OF 12