SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** February 17, 2011

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of Approval of the Acceptance of the Donations of the Right-of-Way as part of the zoning requirements (Cornwell)

MEETING DATE: For Submission onto the March 1, 2011, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER: JTM *APPROVED*

_____ *NOT APPROVED*

PLACED ON AGENDA FOR: 3/1/2011

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

CITY ATTORNEY APPROVAL: _____

REMARKS:

SANDY SPRINGS
GEORGIA

TO: John McDonough, City Manager

FROM: Thomas Black, Public Works Director

DATE: February 18, 2011, for Submission onto the Consent Agenda of the March 1, 2011 City Council Meeting

ITEM: Consideration of Approval of the Acceptance of the Donations of the Right-of-Way 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 donations listed below:

- 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 exhibit is being donated by the property owner, Adam Cornwell. The donated right of way totals 1,604.40 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
- Aerial Map
- GIS Map
- Right of Way Deed
- Plat
- Legal Description

Public Works

RESOLUTION NO. _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO ACCEPT THE DONATION OF THE RIGHT-OF-WAY ON PROPERTY LOCATED IN LAND LOTS 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 donation of the right-of-Way as required by the Development Ordinance, for Adam Cornwell at 4995 Spruell Springs Road, Sandy Springs, Georgia.

As required per conditions of zoning and or land development regulation ordinance, the City authorizes the requested 1,604.40 Square Feet of Right-of-Way located in land lots 121, of the 17th District, City of Sandy Springs, Fulton County, Georgia.

RESOLVED this the 1st day of March 2011.

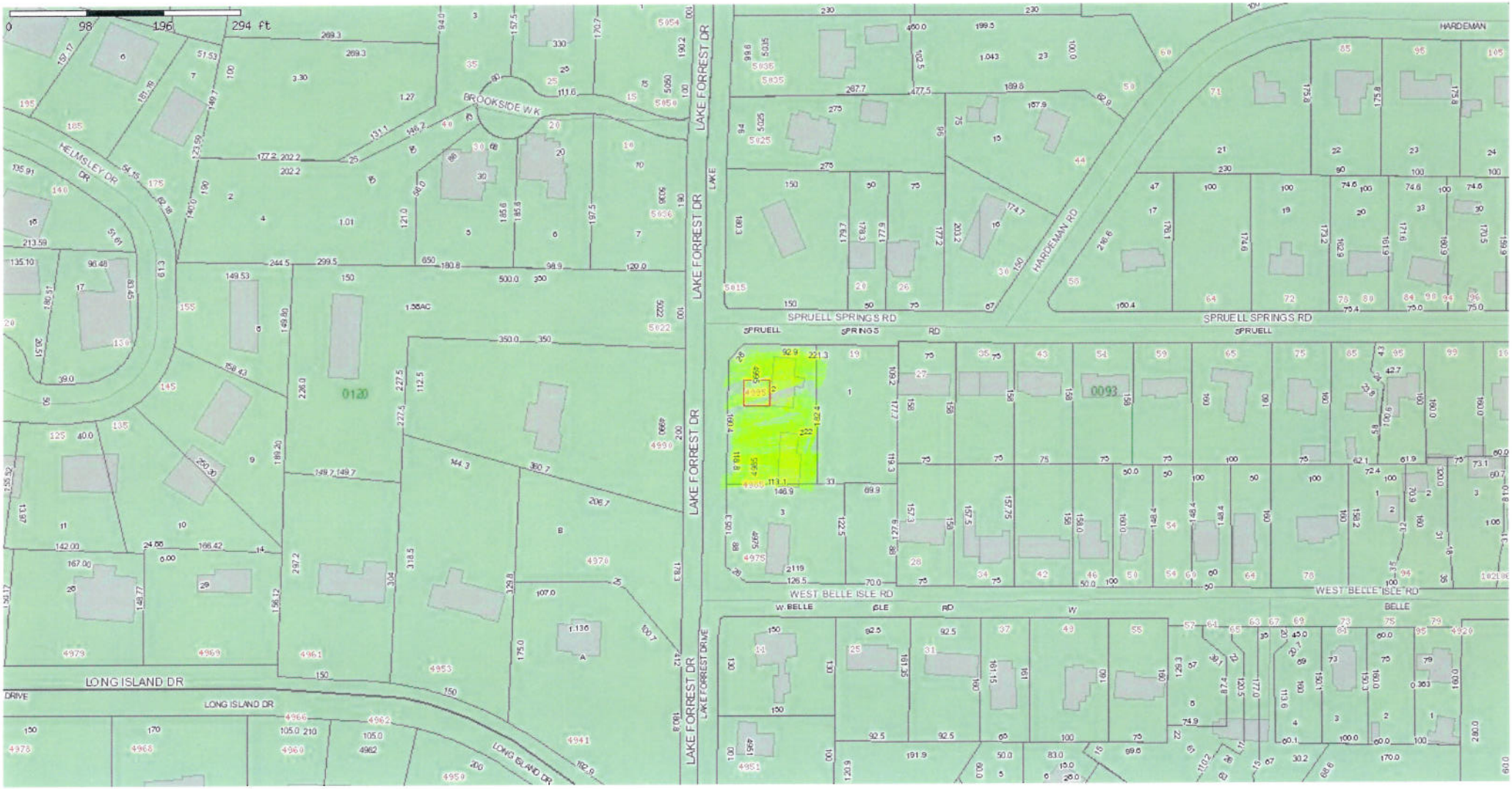
Approved:

_____
Eva Galambos, Mayor

Attest:

_____
Michael Casey, City Clerk
(Seal)

0
98
196
294 Ft
BROOKSIDE WK
HELMSLEY DR
LAKE FORREST DR
LAKE FORREST DRIVE
HARDEMAN RD
SPRUELL SPRINGS RD
WEST BELLE ISLE RD
LONG ISLAND DR


0 98 196 294 ft
BROOKSIDE WK
HELMSLEY DR
LAKE FORREST DR
LONG ISLAND DR
SPRUELL SPRINGS RD
HARDEMAN RD
WEST BELLE ISLE RD
0120
0093

Georgia, Fulton County

Right of Way Deed

This Indenture, made this 17 day of October, 20 10, between the undersigned **Adam Cornwell**, as Grantor(s), 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 93 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 the City of Sandy Springs shall have a total Right of Way of 1,604.40 square feet for the purpose of (road improvements) (sidewalk and street 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(s) has (have) hereunto set his/her/their hand(s) and seal(s) the day and year above written.

Unofficial Witness

Adam Cornwell

Notary Public

(Seal)

WENDY C SHEEHAN
Notary Public
Fulton County
State of Georgia
My Commission Expires Sep 24, 2013

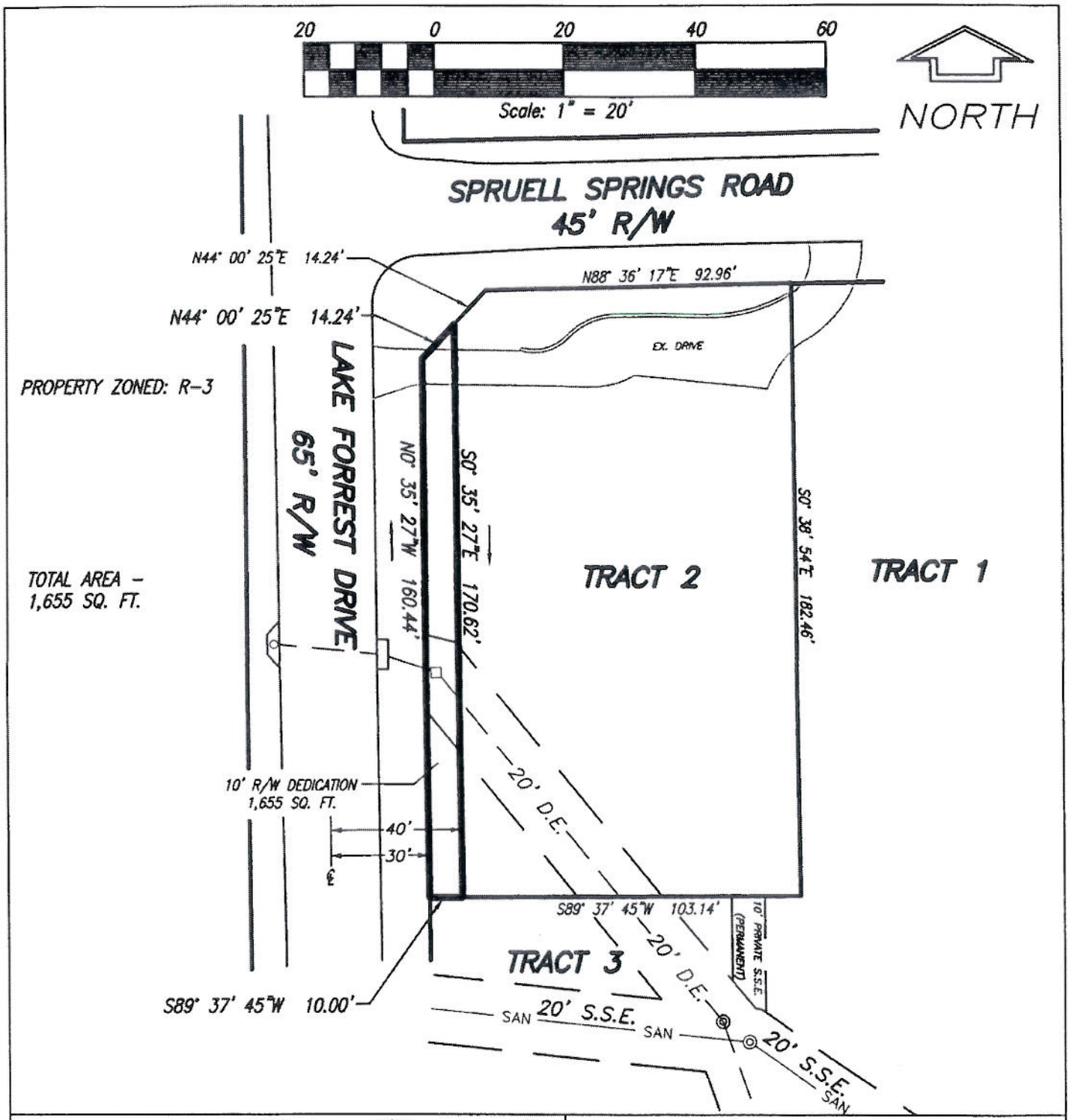
LEGAL DESCRIPTION
R/W DEDICATION FOR
4995 SPRUELL SPRINGS ROAD

All that tract or parcel of land lying and being in Land Lot 93, District 17, being a portion of Tract 2 of survey for Roberts Kimcliff Development subdivision and being more particularly described as follows:

Beginning at a point on the easterly right-of-way of Lake Forest Drive, which lies 30 feet from the centerline of said road, and on the mitered southerly right-of-way of Spruell Springs Road; thence along said mitered right-of-way proceed North 44°00'25" East for 14.24' to a point lying 40 feet easterly of the centerline of said Lake Forest Drive; thence along said line lying 40 feet easterly of the centerline of said Lake Forest Drive proceed South 00°35'27" East for 170.62' to a point; thence proceed South 89°37'45" West for 10.00' to a point lying 30 feet easterly of the centerline of said Lake Forest Drive; thence along said line lying 40 feet easterly of the centerline of said Lake Forest Drive proceed N 00°35'27" West for 160.44' returning to the point of beginning. Said parcel contains 1,655 square feet, more or less.

GEORGIA
REGISTERED
No. 2089
LAND SURVEYOR
RONALD E. GUDGER

10/13/10



GEORGIA REGISTERED No. 2089 LAND SURVEYOR RONALD E. GUDGER

GUDGER SURVEYING, INC.
7000 PEACHTREE-DUNWOODY RD.
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PH. (770)396-6011
FAX (770)396-2379

SURVEYED reg, tpo

FILE SPRUELL SPRINGS 4995

Ronald E. Gudger

RONALD E. GUDGER

DATE OCT. 12, 2010

R/W DEDICATION FOR

4995 LAKE FORREST DRIVE

TRACT 2

OF SURVEY FOR

ROBERTS KIMCLIFF DEVELOPMENT

L.L. 93, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA