
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** February 3, 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 February 15, 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: 2/15/11

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: MM

REMARKS:



TO: John McDonough, City Manager

FROM: Thomas Black, Public Works Director

DATE: February 2, 2011, for Submission onto the Consent Agenda of the February 15, 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*

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 15th day of February 2011.

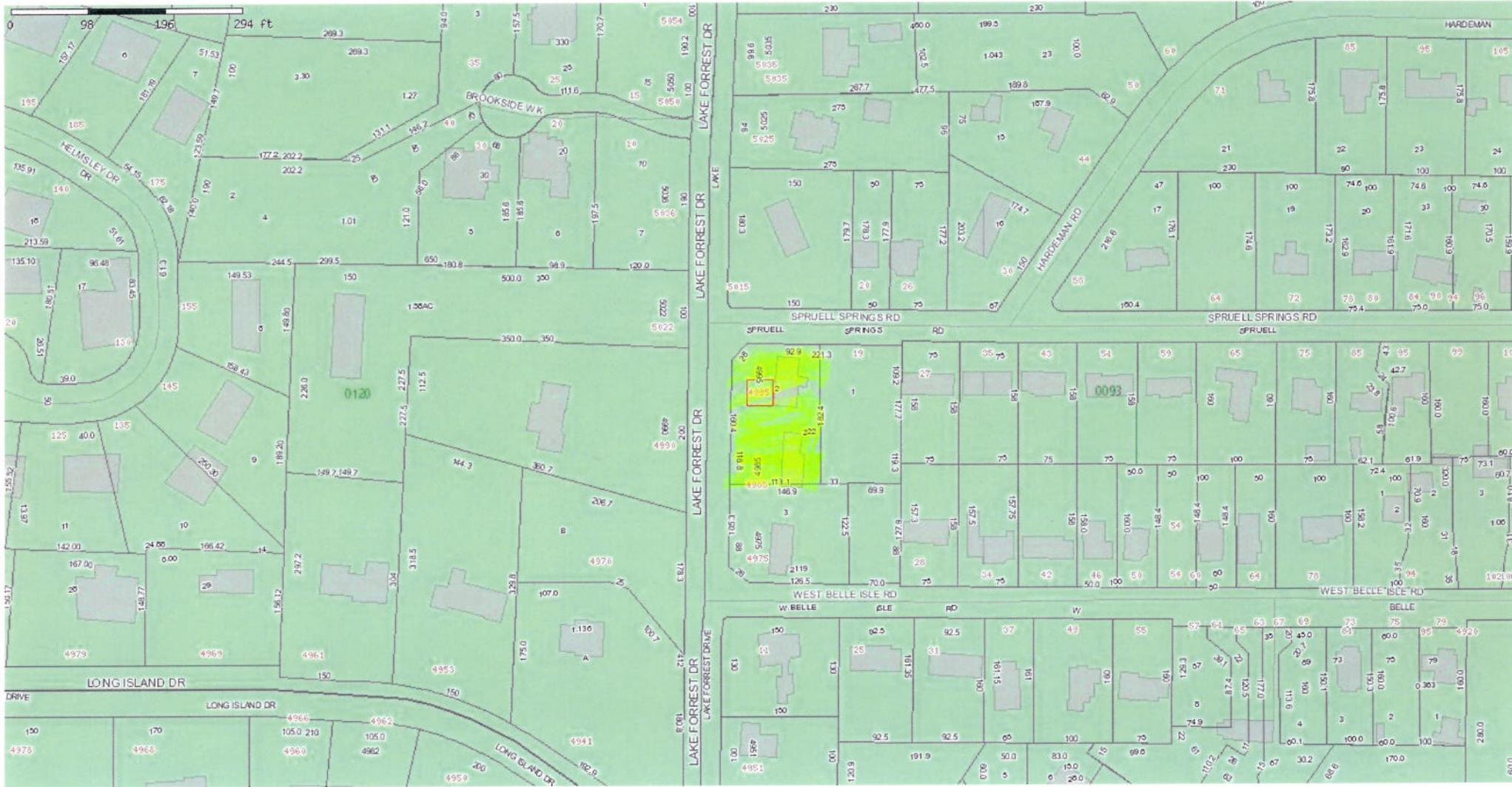
Approved:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)





Georgia, Fulton County

Right of Way Deed

This Indenture, made this 17 day of October, 2010, 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.

Paul S. Sh
Unofficial Witness

Adam Cornwell
Adam Cornwell

Wendy C Sheehan
Notary Public

(Seal)



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.



Ronald E. Gudger
12/13/10



Scale: 1" = 20'



NORTH

SPRUELL SPRINGS ROAD
45' R/W

N44° 00' 25"E 14.24'

N88° 36' 17"E 92.96'

N44° 00' 25"E 14.24'

EX. DRIVE

PROPERTY ZONED: R-3

LAKE FORREST DRIVE
65' R/W

N0° 35' 27"W 160.44'

S0° 35' 27"E 170.62'

S0° 38' 54"E 182.46'

TOTAL AREA -
1,655 SQ. FT.

TRACT 2

TRACT 1

10' R/W DEDICATION
1,655 SQ. FT.

40'
30'

S89° 37' 45"W 103.14'

TRACT 3

S89° 37' 45"W 10.00'

20' D.E.
20' D.E.
20' S.S.E.
20' S.S.E.

10' PERMANENT SIDE
(PERMANENT)



GUDGER SURVEYING, INC.
7000 PEACHTREE-DUNWOODY RD.
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PH. (770)398-8011
FAX (770)398-2379

SURVEYED req, 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

LL 93, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA