





TO: John McDonough, City Manager

FROM: Thomas Black, Public Works Director

DATE: October 19, 2010, for Submission onto the Agendas of the November 2, 2010, City Council Meeting

ITEM: Acceptance of Temporary Construction Easement Rights and Right of Way Donation for the Mount Vernon Highway Sidewalk Project No. T- 6010-3.

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

Staff recommends that the Mayor and City Council accept the temporary construction easement and right of way donation for the sidewalk project along Mount Vernon Highway. The properties are lying and located in Land Lot 71 of the 17<sup>th</sup> District, Fulton County, Georgia, and are shown in the attached exhibits. The approximate total value of the donation to the City of Sandy Springs is \$600.00.

***Background:***

This project is designed to construct ADA compliant ramps and sidewalks along Mount Vernon Highway and these areas are more particularly shown on the enclosed highlighted plat(s).

***Discussion:***

The attached exhibits include the location and area of executed temporary construction easements, and right-of-way being secured for construction of the project. This work is being done with as little inconvenience to the property owner as possible, and the property will be dressed, grassed and left in good, clean condition

***Alternatives:***

The Council could decide to not accept these easements and not construct this sidewalk project.

***Financial Impact:***

These donations made by the Mount Vernon Presbyterian Church, Inc., are at no cost to the City of Sandy Springs.

***Attachments:***

- I. Exhibits
- II. Aerial Photo of project site
- III. GIS Map of project site
- IV. Legal Descriptions
- iv. Resolution

*Public  
Works*

STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT DRIVEWAY EASEMENTS FOR PROPERTIES LOCATED IN  
LAND LOTS 36 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 by the City of Sandy Springs the Temporary Construction Easement and Right of Way Donation for Parcel 2, located on Land Lots 71 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia known as Project Number T-6010-3, Mount Vernon Highway Sidewalk Project No. T-6010-3.

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

To facilitate the Mount Vernon Highway Project No.T-6010-3, the City approves the acceptance of the Temporary Construction Easement and Right of Way Donation in Land Lot 71 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia.

**RESOLVED** this the 2<sup>nd</sup> day of November 2010.

Approved:

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

Attest:

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

Georgia, Fulton County  
City of Sandy Springs

**RIGHT OF WAY DEED**

This Indenture, made this 16<sup>th</sup> day of September, 2010, between Mount Vernon Presbyterian Church, Inc. as Grantor, 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 71 of the 17 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 152.739 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 has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Kerry E. Hulse  
Unofficial Witness

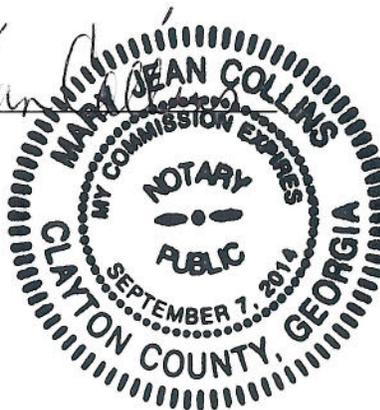
**Mount Vernon Presbyterian Church, Inc.**

By: John L. Hubbard (Seal)  
Print Name: JOHN L. HUBBARD  
Title: Clerk of Session

Mary Jean Collins  
Notary Public

Attest: \_\_\_\_\_ (Seal)

(Seal)



Print Name:  
Title:

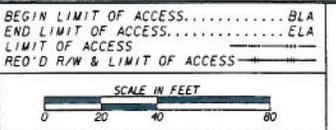
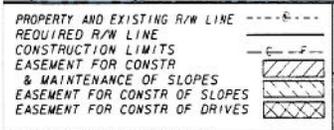
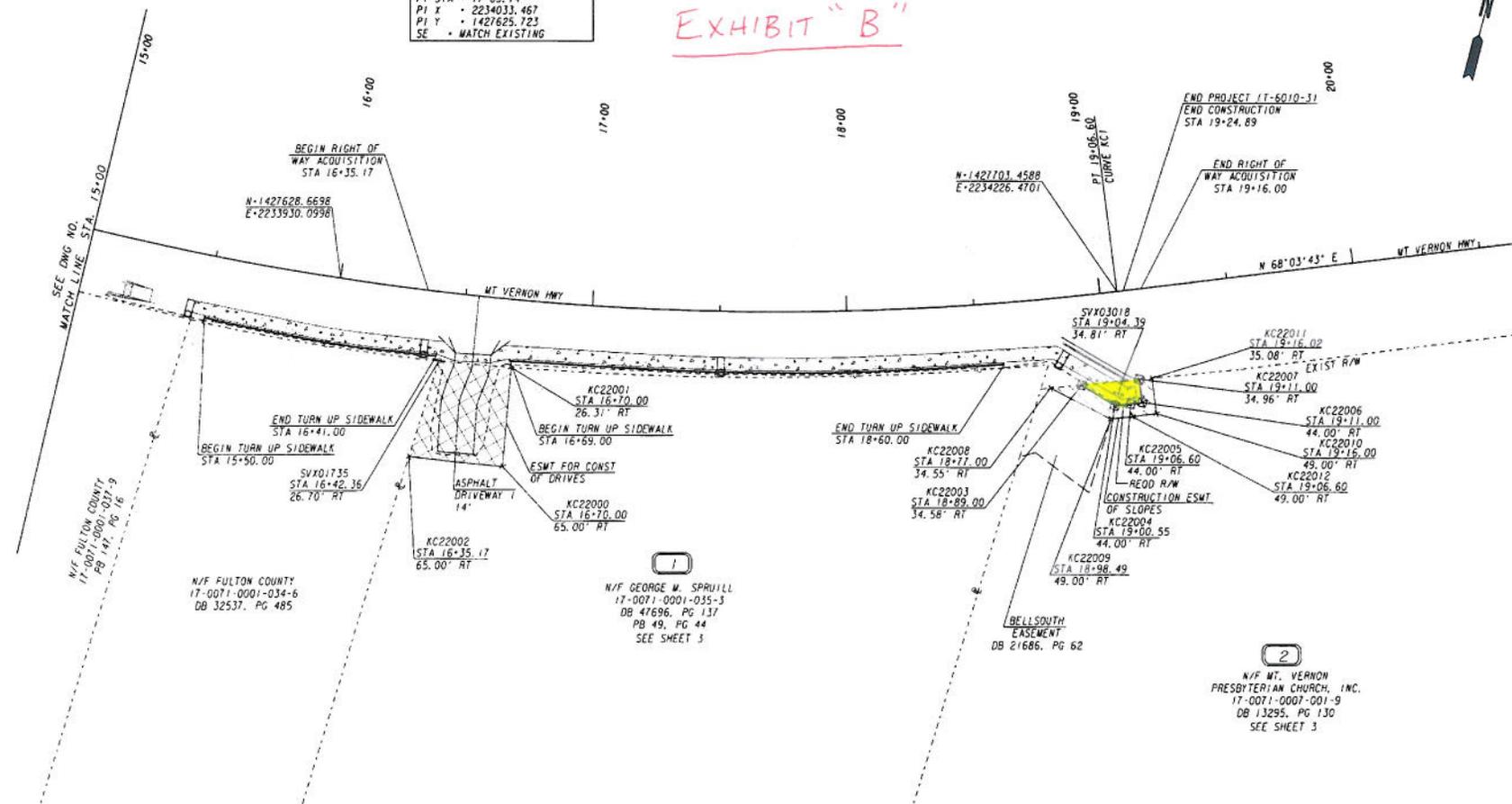
## EXHIBIT "A"

### **Legal Description of Required Right of Way for Mt. Vernon Presbyterian Church, Inc.:**

Commence at the point of beginning N 1427664.288320 E 2234246.988859 ; thence a Bearing of S 68°03'42.9" W and Distance of 4.40' ; to a curve of radius 1173.69' and a central angle of 0°18'24.6"; thence along the arc of the said curve of curve length 6.29' ;said curve having a chord bearing and length of S 68°12'55.4" W and 6.29';thence a Bearing of N 73°05'54.1" W and Distance of 15.22' ; thence a Bearing of N 69°24'06.2" E and Distance of 15.87' ; thence a Bearing of N 69°22'09.1" E and Distance of 6.67' ; thence a Bearing of S 21°57'20.0" E and Distance of 9.04' ; **containing 152.739 sqft 0.004 acres of land, more or less.**

**Curve Data**  
 N = KC1  
 Δ = 20°52'20" (LT)  
 D = 5°04'19"  
 T = 208.07  
 L = 411.53  
 E = 19.00  
 R = 1129.68  
 PI STA = 17+03.14  
 P1 X = 2234033.467  
 P1 Y = 1427625.723  
 SE = MATCH EXISTING

**EXHIBIT "B"**



DATE	REVISIONS

DATE	REVISIONS

SANDY SPRINGS  
 DEPARTMENT OF PUBLIC WORKS  
**RIGHT OF WAY MAP**  
 PROJECT NO: T-6010-3  
 COUNTY: FULTON  
 LAND LOT NO: 71  
 LAND DISTRICT: 17  
 GMD: 1100  
 DATE: 05/10/10 SH 2 OF 3

# EXHIBIT "B"

COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
FULTON	T-6010-3	3	8

GEORGE M. SPRUITT  
SEE SHEET 2

MT. VERNON PRESBYTERIAN CHURCH, INC.  
SEE SHEET 2

TABLE 1  
LAYOUT FOR CONSTRUCTION OF DRIVES

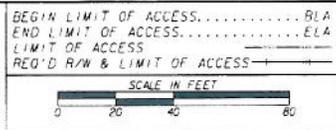
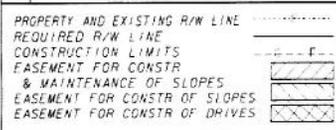
PNT	OFFSET	STATION	ALIGNMENT
K022000	65.00 R	16+70.00	MT. VERNON HIGHWAY
ARC LENGTH 36.871			
CHORD BEAR S 80°56'40.81" W			
LATH CHORD 36.870			
RADIUS 174.875			
DEGREE 4° 47' 45"			
K022000	65.00 R	16+55.00	MT. VERNON HIGHWAY
K022001	66.70 R	16+42.30	MT. VERNON HIGHWAY
ARC LENGTH 26.294			
CHORD BEAR N 79°58'42.31" E			
LATH CHORD 26.293			
RADIUS 127.222			
DEGREE 4° 50' 0"			
K022001	66.70 R	16+70.00	MT. VERNON HIGHWAY
K022002	65.00 R	16+70.00	MT. VERNON HIGHWAY

TOTAL PARKING 1.44 ACRES  
TOTAL DRIVEWAY EASEMENTS 1.1

PNT	OFFSET/L BEAR/BD	STATION/ BEAR/BD	ALIGNMENT
K022008	44.00 R	19+11.00	MT. VERNON HIGHWAY
K022005	44.00 R	S 68°02'45.91" W	MT. VERNON HIGHWAY
ARC LENGTH 6.285			
CHORD BEAR S 68°12'55.41" W			
LATH CHORD 6.284			
RADIUS 177.287			
DEGREE 4° 52' 54"			
K022004	44.00 R	19+00.55	MT. VERNON HIGHWAY
K022007	34.56 R	N 72°08'14.11" W	MT. VERNON HIGHWAY
K022007	34.56 R	19+09.00	MT. VERNON HIGHWAY
K022007	34.56 R	N 62°24'06.21" E	MT. VERNON HIGHWAY
K022008	34.56 R	19+04.39	MT. VERNON HIGHWAY
K022007	34.56 R	N 69°27'05.11" E	MT. VERNON HIGHWAY
K022007	34.56 R	19+11.00	MT. VERNON HIGHWAY
K022008	44.00 R	S 21°57'00.01" E	MT. VERNON HIGHWAY
K022008	44.00 R	19+11.00	MT. VERNON HIGHWAY

PNT	OFFSET	STATION	ALIGNMENT
K022010	45.00 R	19+16.00	MT. VERNON HIGHWAY
K022012	45.00 R	19+06.00	MT. VERNON HIGHWAY
ARC LENGTH 6.466			
CHORD BEAR S 68°16'04.91" W			
LATH CHORD 6.466			
RADIUS 170.875			
DEGREE 4° 51' 39"			
K022009	45.00 R	18+58.49	MT. VERNON HIGHWAY
K022006	34.56 R	18+77.00	MT. VERNON HIGHWAY
K022003	34.56 R	18+45.00	MT. VERNON HIGHWAY
K022004	44.00 R	19+00.55	MT. VERNON HIGHWAY
ARC LENGTH 6.285			
CHORD BEAR S 68°12'55.41" E			
LATH CHORD 6.285			
RADIUS 177.287			
DEGREE 4° 52' 54"			
K022005	44.00 R	19+06.60	MT. VERNON HIGHWAY
K022006	44.00 R	19+11.00	MT. VERNON HIGHWAY
K022007	34.56 R	19+11.00	MT. VERNON HIGHWAY
K022011	35.68 R	19+16.00	MT. VERNON HIGHWAY
K022012	45.00 R	19+16.00	MT. VERNON HIGHWAY

TOTAL DRIVEWAY EASEMENTS 1.0



DATE	REVISIONS

DATE	REVISIONS

SANDY SPRINGS  
DEPARTMENT OF PUBLIC WORKS

**RIGHT OF WAY MAP**

PROJECT NO. T-6010-3  
COUNTY: FULTON  
LAND DISTRICT: 17  
BMD: 1100  
DATE 05/10/10 SH 3 OF 3

**TEMPORARY CONSTRUCTION EASEMENT**

**STATE OF GEORGIA  
FULTON COUNTY**

WHEREAS, the City of Sandy Springs, Georgia (hereafter referred to as the "City") desire to construct a sidewalk improvement project known as **Mount Vernon Highway Sidewalk Project No. T-6010-3.**

NOW AND THEREFORE, for value received, **Mount Vernon Presbyterian Church, Inc.,** does hereby grant to the City the right to execute certain construction over and upon my land abutting on and adjacent to the right of way in such manner as said City may deem proper to support or accommodate the sidewalk improvement, including the right to slope the adjacent ground to tie in with roadway or sidewalk elevations, shown colored green on the attached plat hereby labeled Exhibit "B", dated 5/10/10. Said slopes shall remain in place and the City will cease to maintain slopes upon completion and final acceptance of the project by the City of Sandy Springs Public Works Department.

This easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by the City of Sandy Springs Public Works Department.

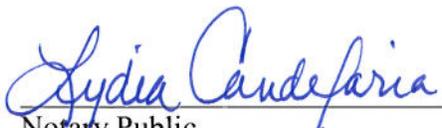
I hereby warrant that I have the right to sell and convey said land and bind, myself, my heirs, executors and administrators forever and defend by virtue of these presents.

In Witness Whereof, we have set our hands and seal this 22 day of September, 2010.

Signed, sealed and delivered in the presence of:

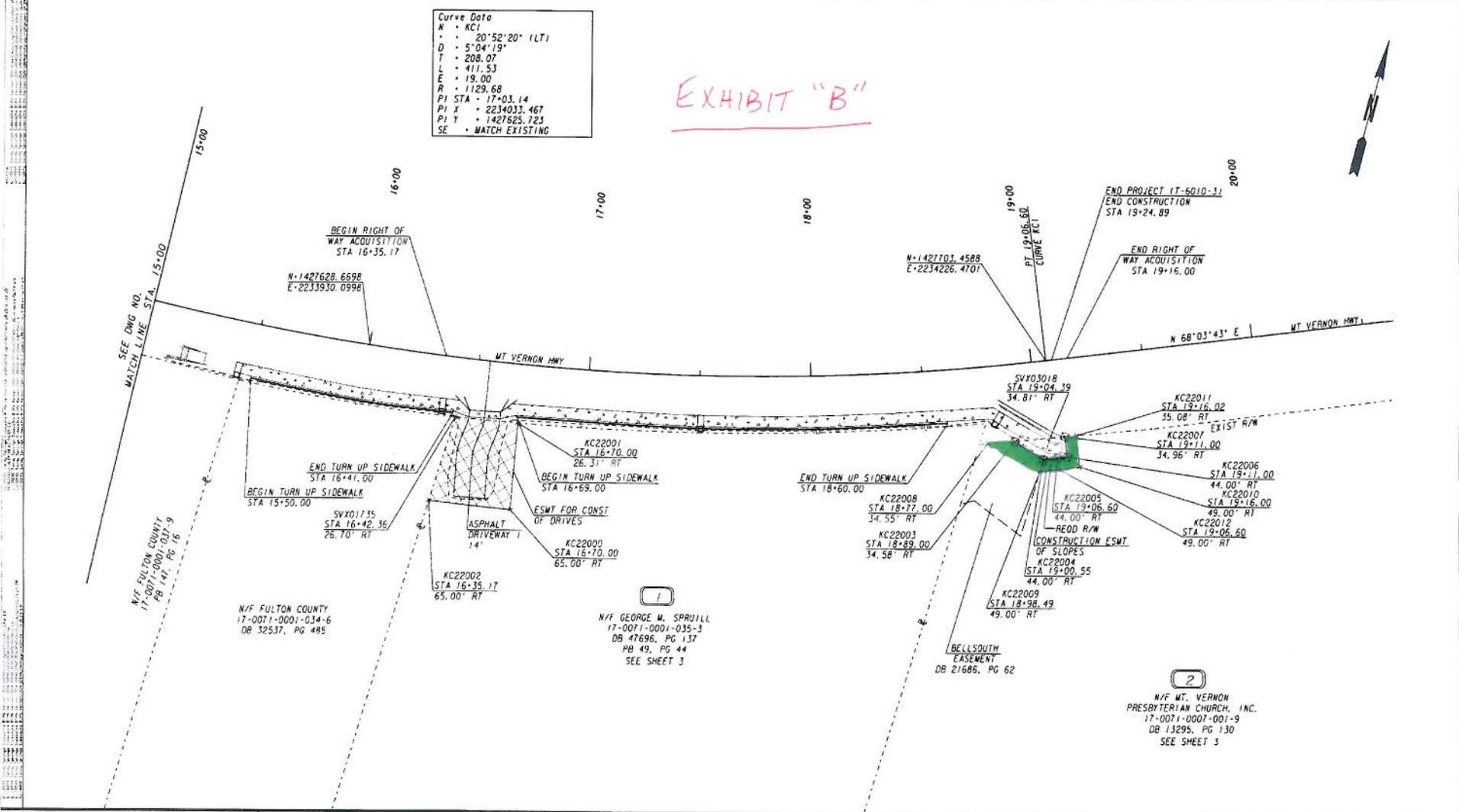
  
Witness

By:   
Name: \_\_\_\_\_  
Title Clerk of Session

  
Notary Public

**Curve Data**  
 N = KC1  
 Δ = 20°52'20" (LT)  
 D = 5'04'19"  
 T = 208.07  
 L = 411.53  
 E = 19.00  
 R = 1129.68  
 PI STA = 17+03.14  
 PI X = 2234033.467  
 PI Y = 1427625.723  
 SE = MATCH EXISTING

**EXHIBIT "B"**



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 R/W & LIMIT OF ACCESS

SCALE IN FEET  
 0 20 40 80



DATE	REVISIONS	DATE	REVISIONS

SANDY SPRINGS  
 DEPARTMENT OF PUBLIC WORKS  
 RIGHT OF WAY MAP  
 PROJECT NO: T-6010-3  
 COUNTY: FULTON  
 LAND LOT NO: 71  
 LAND DISTRICT: 17  
 GMD: 1100  
 DATE: 05/10/10 SH 2 OF 3

# EXHIBIT "B"

**GEORGE M. SPRUILL**  
SEE SHEET 2

**MT. VERNON PRESBYTERIAN CHURCH, INC.**  
SEE SHEET 2

**EASEMENT FOR CONSTRUCTION OF DRIVES**

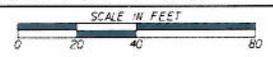
PARCEL #	OFFSET	STATION	ALIGNMENT
KC22000	65.00' R	18+70.00	MT. VERNON HIGHWAY
ARC LENGTH = 26.84'			
CHORD BEAR = S 80°12'48.8" W			
LNTH CHORD = 36.840'			
RADIUS = 1194.679'			
DEGREE = 4° 51' 39"			
KC22001	65.00' R	18+35.12	MT. VERNON HIGHWAY
KC22002	65.00' R	18+40.36	MT. VERNON HIGHWAY
ARC LENGTH = 26.844'			
CHORD BEAR = N 79°58'48.3" E			
LNTH CHORD = 28.297'			
RADIUS = 1173.220'			
DEGREE = 4° 50' 9"			
KC22003	65.00' R	18+70.00	MT. VERNON HIGHWAY
KC22004	65.00' R	18+40.36	MT. VERNON HIGHWAY
TOTAL PARCELS = 4			
TOTAL DRIVEWAY EASEMENTS = 1			

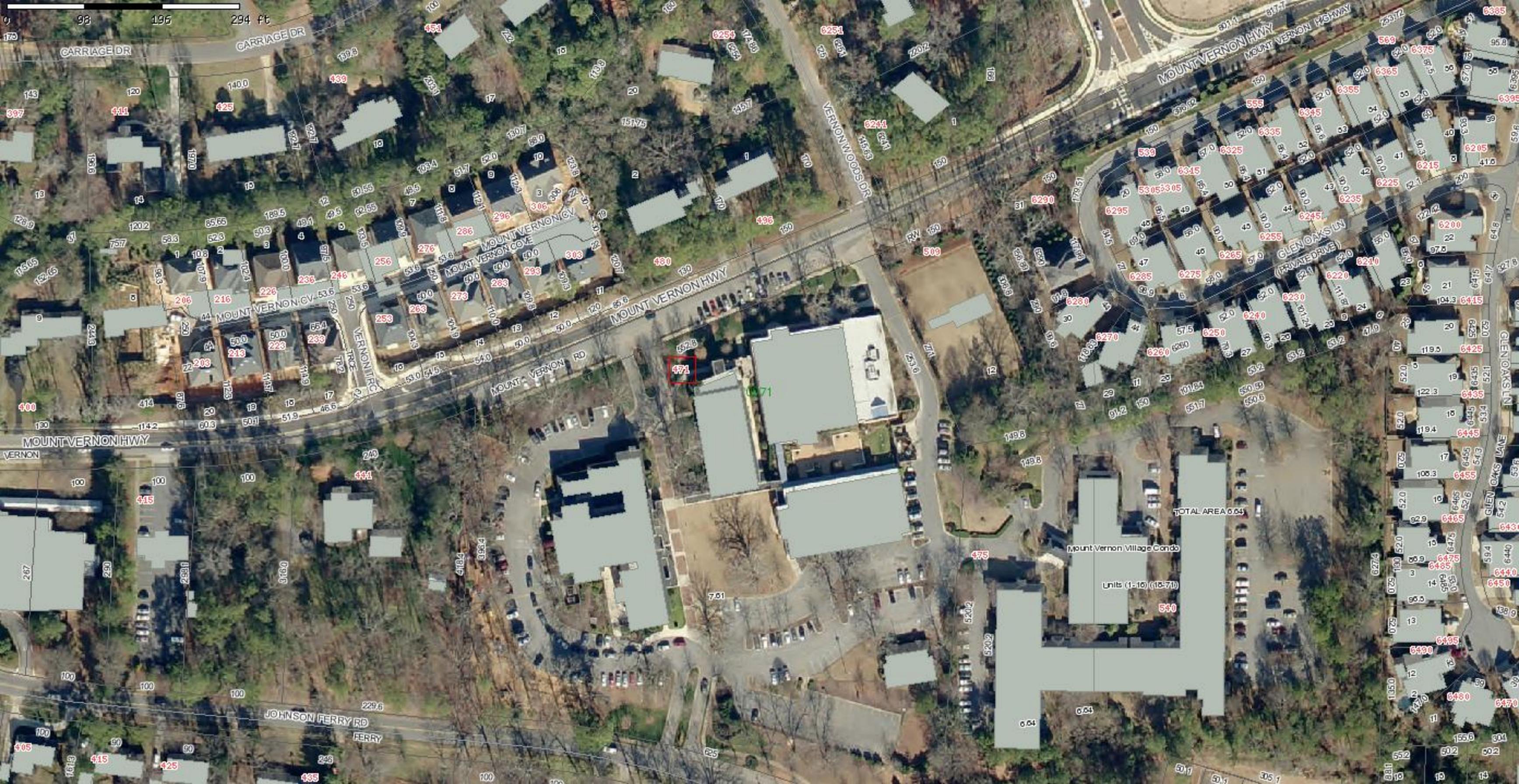
PARCEL #	OFFSET	STATION	ALIGNMENT
KC22005	44.00' R	19+11.00	MT. VERNON HIGHWAY
ARC LENGTH = 6.285'			
CHORD BEAR = S 88°12'55.4" W			
LNTH CHORD = 6.285'			
RADIUS = 1173.687'			
DEGREE = 4° 52' 54"			
KC22006	44.00' R	19+06.50	MT. VERNON HIGHWAY
ARC LENGTH = 6.285'			
CHORD BEAR = N 73°05'54.1" W			
LNTH CHORD = 6.285'			
RADIUS = 1173.687'			
DEGREE = 4° 52' 54"			
KC22007	34.96' R	19+11.00	MT. VERNON HIGHWAY
KC22008	34.96' R	19+04.30	MT. VERNON HIGHWAY
KC22009	44.00' R	19+11.00	MT. VERNON HIGHWAY
KC22010	44.00' R	19+11.00	MT. VERNON HIGHWAY

PARCEL #	OFFSET	STATION	ALIGNMENT
KC22011	49.00' R	19+15.00	MT. VERNON HIGHWAY
KC22012	49.00' R	19+06.50	MT. VERNON HIGHWAY
ARC LENGTH = 8.466'			
CHORD BEAR = S 88°16'02.8" W			
LNTH CHORD = 8.466'			
RADIUS = 1176.679'			
DEGREE = 4° 51' 39"			
KC22013	49.00' R	19+06.49	MT. VERNON HIGHWAY
KC22014	49.00' R	19+11.00	MT. VERNON HIGHWAY
KC22015	34.96' R	19+06.50	MT. VERNON HIGHWAY
KC22016	44.00' R	19+06.49	MT. VERNON HIGHWAY
ARC LENGTH = 5.285'			
CHORD BEAR = N 68°12'55.4" E			
LNTH CHORD = 5.285'			
RADIUS = 1173.687'			
DEGREE = 4° 52' 54"			
KC22017	44.00' R	19+06.50	MT. VERNON HIGHWAY
KC22018	44.00' R	19+11.00	MT. VERNON HIGHWAY
KC22019	34.96' R	19+11.00	MT. VERNON HIGHWAY
KC22020	34.96' R	19+15.00	MT. VERNON HIGHWAY
KC22021	49.00' R	19+11.00	MT. VERNON HIGHWAY

TOTAL DRIVEWAY EASEMENTS = 0

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 R/W & LIMIT OF ACCESS.....	 FLORENCE & HUTCHESON, INC.	DATE REVISIONS   	DATE REVISIONS   	SANDY SPRINGS DEPARTMENT OF PUBLIC WORKS <b>RIGHT OF WAY MAP</b> PROJECT NO: 7-6010-3 COUNTY: FULTON LAND LOT NO: 71 LAND DISTRICT: 17 SMD: 1100 DATE 05/10/10 SH 3 OF 3
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471

Mount Vernon Village Condo

Units (1-10) (12-71)

TOTAL AREA 6.64

540

475

MOUNT VERNON HWY

VERNON

JOHNSON FERRY RD

FERRY

MOUNT VERNON HWY

MOUNT VERNON HWY

GLEN OAKS LN  
(PRIVATE DRIVE)

GLEN OAKS LANE

CARRIAGE DR

CARRIAGE DR

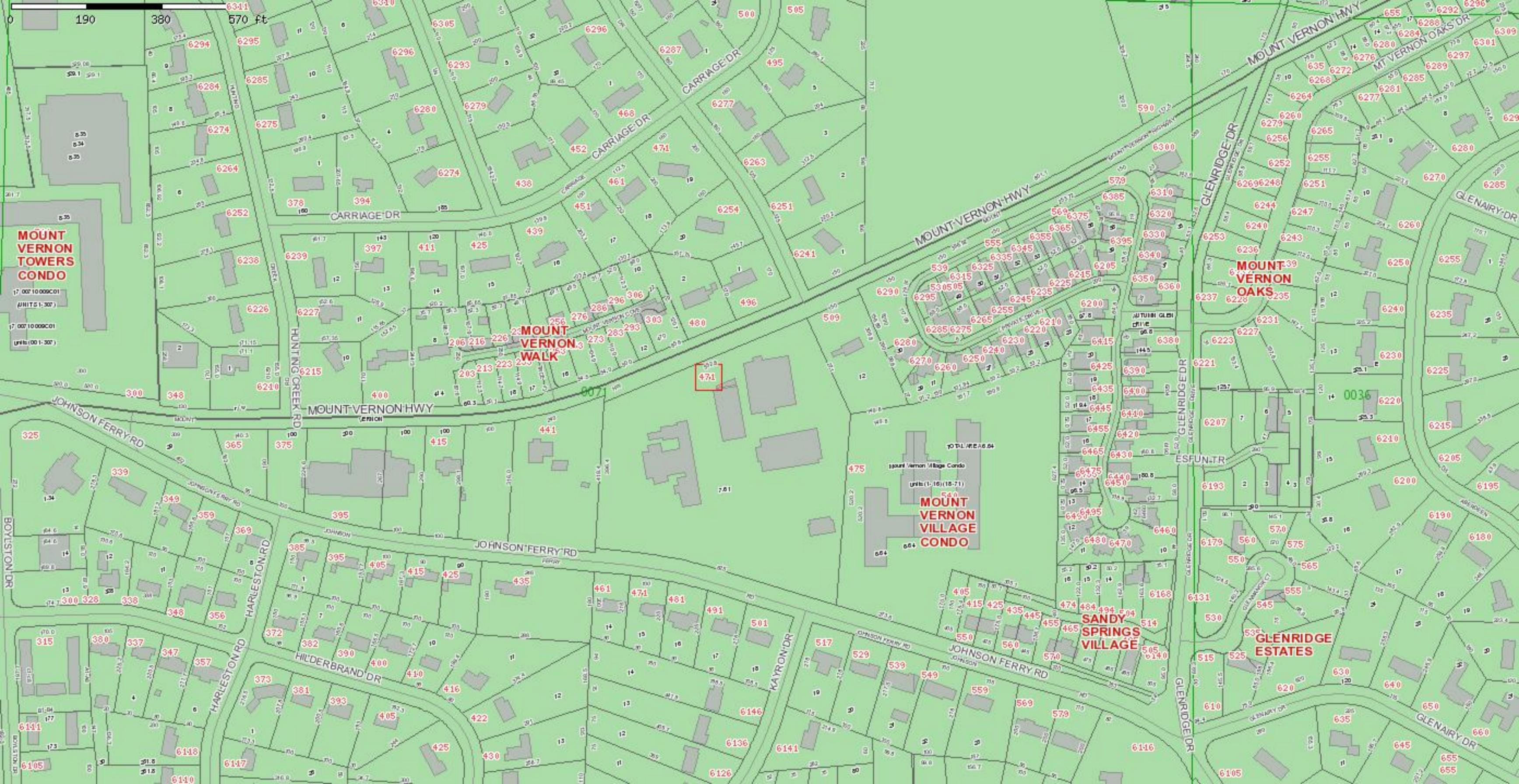
VERNON WOODS DR

MOUNT VERNON RD

MOUNT VERNON CV

MOUNT VERNON COVE

MOUNT VERNON HWY



**MOUNT VERNON TOWERS CONDO**

17 007 10 009C01  
UNITS 1-307  
17 007 10 009C01  
UNITS 1-307

**MOUNT VERNON WALK**

**MOUNT VERNON VILLAGE CONDO**

**SANDY SPRINGS VILLAGE**

**GLENRIDGE ESTATES**

**MOUNT VERNON OAKS**

190 380 570 ft

471

6111

6105

6118

6110

6117

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6118

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## EXHIBIT "A"

### **Legal Description of Required Right of Way for Mt. Vernon Presbyterian Church, Inc.:**

Commence at the point of beginning N 1427664.288320 E 2234246.988859 ; thence a Bearing of S 68°03'42.9" W and Distance of 4.40' ; to a curve of radius 1173.69' and a central angle of 0°18'24.6"; thence along the arc of the said curve of curve length 6.29' ;said curve having a chord bearing and length of S 68°12'55.4" W and 6.29';thence a Bearing of N 73°05'54.1" W and Distance of 15.22' ; thence a Bearing of N 69°24'06.2" E and Distance of 15.87' ; thence a Bearing of N 69°22'09.1" E and Distance of 6.67' ; thence a Bearing of S 21°57'20.0" E and Distance of 9.04' ; **containing 152.739 sqft 0.004 acres of land, more or less.**

### **Legal Description of the Temporary Construction Easement for Slopes For Mt. Vernon Presbyterian Church, Inc.**

Commence at the point of beginning N 1427661.518402 E 2234253.494822 ; thence a Bearing of S 68°03'42.9" W and Distance of 9.40'; to a curve of radius 1178.68' and a central angle of 0°24'41.5"; thence along the arc of said curve of curve length 8.47'; said curve having a chord bearing and length of S 68°16'03.9" W and 8.47';thence a Bearing of N 78°01'02.6" W and Distance of 26.56' ; thence a Bearing of N 69°24'06.2" E and Distance of 12.37' ; thence a Bearing of S 73°05'54.1" E and Distance of 15.22' ; to a curve of radius 1173.69' and a central angle of 0°18'24.6"; thence along the arc of the said curve of curve length 6.29' ;said curve having a chord bearing and length of N 68°12'55.4" E and 6.29';thence a Bearing of N 68°03'42.9" E and Distance of 4.40' ; thence a Bearing of N 21°57'20.0" W and Distance of 9.04' ; thence a Bearing of N 69°26'43.8" E and Distance of 5.00' ; thence a Bearing of S 21°56'17.1" E and Distance of 13.92' ; **containing 257.156 sqft 0.006 acres of land, more or less.** Said temporary construction easement shall expire upon the completion and acceptance of the project by the City of Sandy Springs Public Works Department.