

00-0-0378

(Do Not Write Above This Line)

AN ORDINANCE  
Councilmembers Derrick Boazman and Vern McCarty

An Ordinance to abandon public streets known as Davage Street, Bulloch Street and Middleton Street located in the Housing Authority of the City of Atlanta, Georgia Community known as "Carver Homes" and to convey said abandoned streets at no cost to the Housing Authority of the City of Atlanta, Georgia; to waive the provisions of Section 2-1578 of the City Code, provided however, that Section 2-1578(e)(3) requiring certain notifications and Section 138-5(b) insofar as it pertains to the advertisement and public hearing requirement shall not be waived; and for other purposes

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 3/6/00  
 Referred To: City Utilities  
 Date Referred  
 Referred To:  
 Date Referred  
 Referred To:

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee \_\_\_\_\_  
 Date 3/28/00  
 Chair \_\_\_\_\_  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: Public Hearing  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee City Utilities  
 Date 5-5-2000  
 Chair Clair Muller  
 Action: As Amended  
 Fav, Adv, Hold (see rev. side)  
 Other:  
 ADOPTED BY  
 MAY 15 2000  
 COUNCIL  
 Refer To \_\_\_\_\_

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd  1st & 2nd  3rd  
 Readings  
 Consent  V Vote  RC Vote

CERTIFIED

**CERTIFIED**  
 MAY 15 2000  
 John M. Starns  
 COUNCIL PRESIDENT/PROTEM

**CERTIFIED**  
 MAY 15 2000  
 Ronald D. Johnson  
 MUNICIPAL CLERK

**APPROVED**

MAY 23 2000

*[Signature]*  
 MUNICIPAL CLERK



CITY COUNCIL  
ATLANTA, GEORGIA

00-0-0378

AN ORDINANCE

*[Handwritten signatures]*  
BY COUNCIL MEMBERS DERRICK BOAZMAN AND VERN MCCARTY

**AN ORDINANCE TO ABANDON PUBLIC STREETS KNOWN AS DAVAGE STREET, BULLOCH STREET AND MIDDLETON STREET LOCATED IN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA COMMUNITY KNOWN AS CARVER HOMES AND TO CONVEY SAID ABANDONED STREETS AT NO COST TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 2-1578 OF THE CITY CODE, PROVIDED HOWEVER, THAT SECTION 2-1578 (c)(3) REQUIRING CERTAIN NOTIFICATIONS AND SECTION 138-5 (b) INsofar AS IT PERTAINS TO THE ADVERTISEMENT AND PUBLIC HEARING REQUIREMENT, SHALL NOT BE WAIVED; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta and The Housing Authority of the City of Atlanta, Georgia (the "Housing Authority") for many years have worked as partners to provide adequate housing to the citizens of the City; and

**WHEREAS**, the Housing Authority is redeveloping Carver Homes into a new mixed-income community; and

**WHEREAS**, in conjunction with that redevelopment, the Housing Authority is requesting the City of Atlanta to abandon public streets known as Davage Street, Bulloch Street and Middleton Street and to convey said abandoned streets to the Housing Authority which is the only abutting property owner; and

**WHEREAS**, pursuant to Section 5(b) of the 1954 Cooperation Agreement (as amended) among the City, the Housing Authority and Fulton County, the City has agreed to convey such abandoned streets without cost or expense to the Housing Authority.



**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS  
AS FOLLOWS:**

**Section 1.** The provisions of Section 2-1578 of the Code of Ordinances are hereby waived, provided however that Section 2-1578(c)(3) requiring certain notifications and Section 138-5(b) insofar as it pertains to the advertisement and public hearing requirement, shall not be waived.

**Section 2.** The public streets and rights-of-way known as Davage Street, Bulloch Street and Middleton Street, as shown on the attached survey and as described in the attached legal descriptions, located in the Housing Authority Community known as Carver Homes, is hereby declared no longer useful or necessary for the public's use and convenience and upon the passage of the ordinance, shall thereafter cease to be public streets for any purpose whatsoever and the rights of the public in and to said vacated and abandoned streets shall cease.

**Section 3.** Any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time as said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

**Section 4.** Pursuant to the terms of Section 5(b) of the 1954 Cooperation Agreement (as amended) among the City, the Housing Authority and Fulton County, all of the City's interest in the streets and rights-of-way described in Section 2 is hereby conveyed without cost or expense to the Housing Authority.

**Section 5.** The Mayor is hereby authorized to execute a quitclaim deed conveying said streets and rights-of-way to the Housing Authority.

**Section 6.** In accordance with Section 2-1578 (c) (3) of the City Code, appropriate city personnel shall notify utility owners and city departments including but not limited to Police,



Fire, Planning, Traffic and Transportation, MARTA, GADOT and maintain a complete response file for summary by the Commissioner of Public Works.

**Section 7.** Said street abandonments shall be advertised and a public hearing shall be held in accordance with the requirements of Section 138-5(b).

**Section 8.** All code sections, ordinances, and parts of code sections and ordinances in conflict herewith are hereby waived for the purpose of this ordinance only.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council**  
**APPROVED by the Mayor**

May 15, 2000  
May 23, 2000

COUNCIL PRESIDENT PROTEM DEBI STARNES PRESIDED

RCS# 1952  
5/15/00  
4:01 PM

Atlanta City Council

Regular Session

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CONSENT AGENDA PAGES (1 - 11)

ADOPT

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

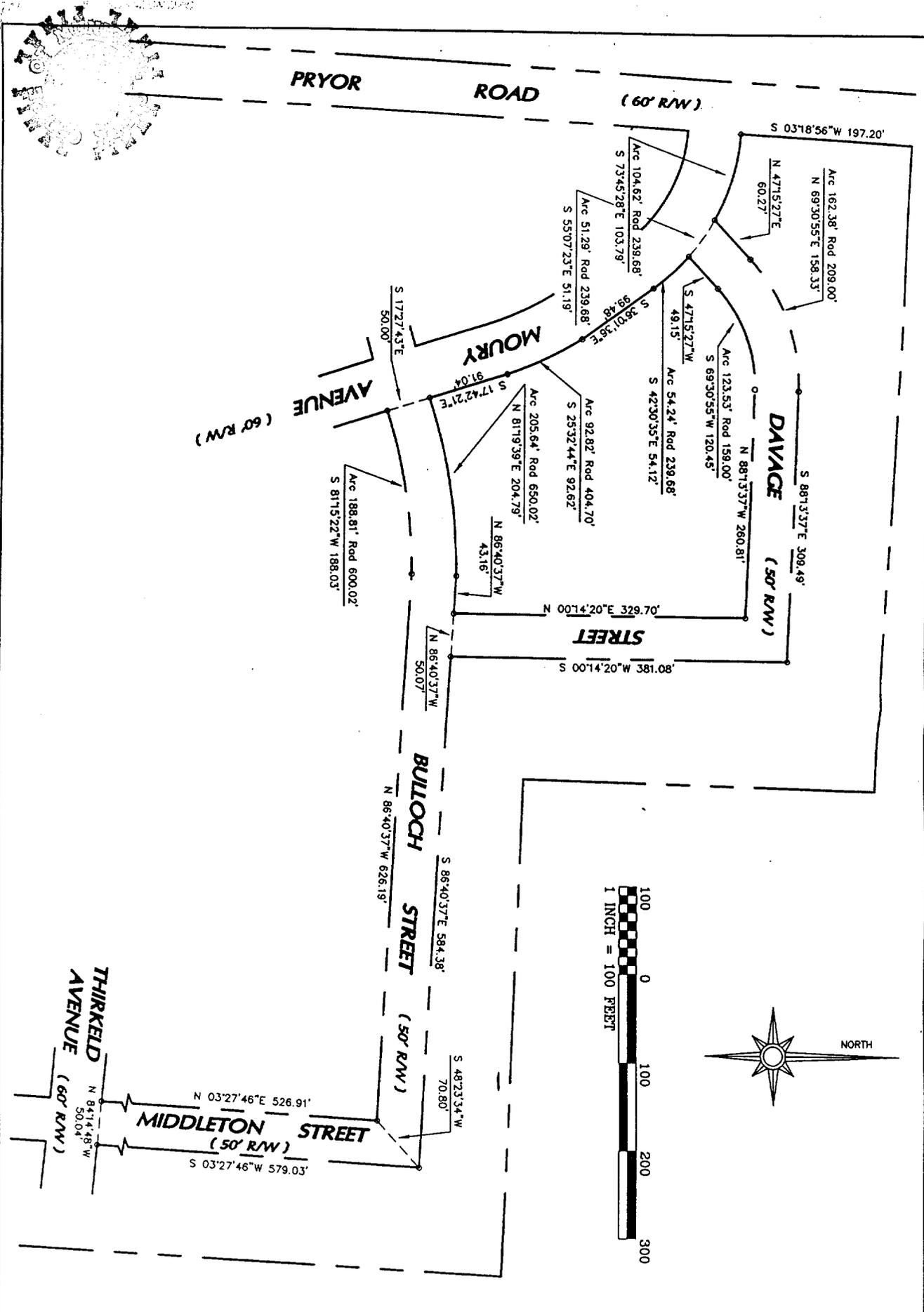
ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-0654  
00-O-0396  
00-R-0329

COUNCIL PRESIDENT PITTS  
ABSTAINED ON 00-O-0523

COUNCILMEMBER MARTIN  
ABSTAINED ON 00-R-0660

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<b>05/15/00 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-0204	34. 00-R-0598
2. 00-O-0523	35. 00-R-0599
3. 00-O-0649	36. 00-R-0600
4. 00-O-0650	37. 00-R-0601
5. 00-O-0255	38. 00-R-0602
6. 00-O-0397	39. 00-R-0603
7. 00-O-0398	40. 00-R-0604
8. 00-O-0568	41. 00-R-0605
9. 00-O-0050	42. 00-R-0606
10. 00-O-0530	43. 00-R-0607
11. 00-O-0531	44. 00-R-0608
12. 00-O-0656	45. 00-R-0609
13. 00-O-0378	46. 00-R-0610
14. 00-O-0651	47. 00-R-0611
15. 00-O-0652	48. 00-R-0612
16. 00-O-0657	49. 00-R-0613
17. 00-O-0664	50. 00-R-0614
18. 00-O-0665	51. 00-R-0615
19. 00-R-0623	52. 00-R-0616
20. 00-R-0633	53. 00-R-0617
21. 00-R-0678	54. 00-R-0618
22. 00-R-0399	55. 00-R-0619
23. 00-R-0400	56. 00-R-0620
24. 00-R-0587	57. 00-R-0627
25. 00-R-0624	58. 00-R-0628
26. 00-R-0660	59. 00-R-0631
27. 00-R-0591	60. 00-R-0632
28. 00-R-0692	
29. 00-R-0597	
30. 00-R-0621	
31. 00-R-0622	
32. 00-R-0629	
33. 00-R-0630	



DATE	02-17-00
SHEET	1
OF	ONE
DESIGNED BY	BOC
DRAWN BY	BOC
APPROVED BY	BOC

**RIGHTS-OF-WAY EXHIBIT  
FOR  
CARVER REDEVELOPMENT, LLC**

LAND LOT 73  
14TH DISTRICT  
FULTON COUNTY,  
CITY OF ATLANTA,  
GEORGIA

**HDR/WLJorden**  
1908 CLIFF VALLEY WAY N.E. SUITE 200  
ATLANTA, GEORGIA 30329  
ENGINEERS • SURVEYORS • PLANNERS



L E G A L   D E S C R I P T I O N

DAVAGE STREET

ALL THAT TRACT or parcel of land lying in Land Lot 73 of the 14th District, Fulton County, City of Atlanta, Georgia, lying within the limits of a development of the City of Atlanta Housing Authority known as Carver Homes, and being more particularly described as follows:

To find the POINT OF BEGINNING, COMMENCE at the intersection of the easterly right-of-way of Pryor Road (60 foot right-of-way width) with the northerly right-of-way of Moury Avenue (60 foot right-of-way width);

THENCE proceed along the northerly and northeasterly right-of-way of said Moury Avenue along a curve to the right having a radius of 239.68 feet and an arc length of 104.62 feet, having a chord of South 73 degrees 45 minutes 28 seconds East for a distance of 103.79 feet to the northwesterly right-of-way of Davage Street (50 foot right-of-way width), said point being the POINT OF BEGINNING;

The POINT OF BEGINNING thus established, THENCE proceed along the northwesterly and northerly right-of-way of said Davage Street the following courses and distances:

North 47 degrees 15 minutes 27 seconds East for a distance of 60.27 feet to a point;

THENCE along a curve to the right having a radius of 209.00 feet and an arc length of 162.38 feet, being subtended by a chord of North 69 degrees 30 minutes 55 seconds East for a distance of 158.33 feet to a point;

THENCE South 88 degrees 13 minutes 37 seconds East for a distance of 309.49 feet to a point at the easterly right-of-way of said Davage Street;

THENCE proceed along said easterly right-of-way of Davage Street South 00 degree 14 minutes 20 seconds West for a distance of 381.08 feet to a point on the northerly right-of-way of Bulloch Street (50 foot right-of-way width);

THENCE proceed along said northerly right-of-way of Bulloch Street North 86 degrees 40 minutes 37 seconds West for a distance of 50.07 feet to a point on the westerly right-of-way of aforesaid Davage Street;

THENCE proceed along the westerly, southerly and southeasterly right-of-way of said Davage Street the following courses and distances:

North 00 degree 14 minutes 20 seconds East for a distance of 329.70 feet to a point;

THENCE North 88 degrees 13 minutes 37 seconds West for a distance of 260.81 feet to a point;

THENCE along a curve to the left having a radius of 159.00 feet and an arc length of 123.53 feet, being subtended by a chord of South 69 degrees 30 minutes 55 seconds West for a distance of 120.45 feet to a point;

THENCE South 47 degrees 15 minutes 27 seconds West for a distance of 49.15 feet to a point on the northeasterly right-of-way of aforesaid Moury Avenue;

(cont.)

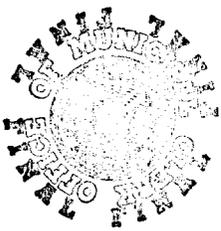


DAVAGE STREET

(Page 2)

THENCE proceed along said northeasterly right-of-way of Moury Avenue along a curve to the left having a radius of 239.68 feet and an arc length of 51.29 feet, being subtended by a chord of North 55 degrees 07 minutes 23 seconds West for a distance of 51.19 feet to the POINT OF BEGINNING.

Said property contains 0.9610 acres more or less.



L E G A L   D E S C R I P T I O N

BULLOCH STREET

ALL THAT TRACT or parcel of land lying in Land Lot 73 of the 14th District, Fulton County, City of Atlanta, Georgia, lying within the limits of a development of the City of Atlanta Housing Authority known as Carver Homes, and being more particularly described as follows:

To find the POINT OF BEGINNING, COMMENCE at the intersection of the easterly right-of-way of Pryor Road (60 foot right-of-way width) with the northerly right-of-way of Moury Avenue (60 foot right-of-way width);

THENCE proceed along said northerly and northeasterly right-of-way of said Moury Avenue the following courses and distances:

Along a curve to the right having a radius of 239.68 feet and an arc length of 104.62 feet, having a chord of South 73 degrees 45 minutes 28 seconds East for a distance of 103.79 feet;

THENCE along a curve to the right having a radius of 239.68 feet and an arc length of 51.29 feet, having a chord of South 55 degrees 07 minutes 23 seconds East for a distance of 51.19 feet;

THENCE along a curve to the right having a radius of 239.68 feet and an arc length of 54.24 feet, being subtended by a chord of South 42 degrees 30 minutes 35 seconds East for a distance of 54.12 feet to a point;

THENCE South 36 degrees 01 minute 36 seconds East for a distance of 99.48 feet to a point;

THENCE along a curve to the right having a radius of 404.70 feet and an arc length of 92.82 feet, being subtended by a chord of South 25 degrees 32 minutes 44 seconds East for a distance of 92.62 feet;

THENCE South 17 degrees 42 minutes 21 seconds East for a distance of 91.04 feet to the northwesterly right-of-way of Bulloch Street (50 foot right-of-way width) and the POINT OF BEGINNING;

The POINT OF BEGINNING thus established, THENCE proceed along the northwesterly and northerly right-of-way of said Bulloch Street the following courses and distances:

Along a curve to the right having a radius of 650.02 feet and an arc length of 205.64 feet, being subtended by a chord of North 81 degrees 19 minutes 39 seconds East for a distance of 204.79 feet to a point;

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 43.16 feet to a point;

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 50.07 feet to a point;

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 584.38 feet to a point;

THENCE South 48 degrees 23 minutes 34 seconds West for a distance of 70.80 feet to a point on the southerly right-of-way of said Bulloch Street;

THENCE proceed along said southerly and southeasterly right-of-way of said Bulloch Street the following courses and distances:

North 86 degrees 40 minutes 37 seconds West for a distance of 626.19

(cont.)



BULLOCH STREET

(Page 2)

feet to a point;

THENCE along a curve to the left having a radius of 600.02 feet and an arc length of 188.81 feet, being subtended by a chord of South 81 degrees 15 minute 22 seconds West for a distance of 188.03 feet to a point on afore-said northeasterly right-of-way of Moury Avenue;

THENCE proceed along said northeasterly right-of-way of Moury Avenue North 17 degrees 27 minutes 43 seconds West for a distance of 50.00 feet to the POINT OF BEGINNING.

Said property contains 0.9747 acres more or less.



L E G A L   D E S C R I P T I O N

MIDDLETON STREET

ALL THAT TRACT or parcel of land lying in Land Lot 73 of the 14th District, Fulton County, City of Atlanta, Georgia, lying within the limits of a development of the City of Atlanta Housing Authority known as Carver Homes, and being more particularly described as follows:

To find the POINT OF BEGINNING, COMMENCE at the intersection of the easterly right-of-way of Pryor Road (60 foot right-of-way width) with the northerly right-of-way of Moury Avenue (60 foot right-of-way width);

THENCE proceed along said northerly and northeasterly right-of-way of said Moury Avenue the following courses and distances:

Along a curve to the right having a radius of 239.68 feet and an arc length of 104.62 feet, having a chord of South 73 degrees 45 minutes 28 seconds East for a distance of 103.79 feet;

THENCE along a curve to the right having a radius of 239.68 feet and an arc length of 51.29 feet, having a chord of South 55 degrees 07 minutes 23 seconds East for a distance of 51.19 feet;

THENCE along a curve to the right having a radius of 239.68 feet and an arc length of 54.24 feet, being subtended by a chord of South 42 degrees 30 minutes 35 seconds East for a distance of 54.12 feet to a point;

THENCE South 36 degrees 01 minute 36 seconds East for a distance of 99.48 feet to a point;

THENCE along a curve to the right having a radius of 404.70 feet and an arc length of 92.82 feet, being subtended by a chord of South 25 degrees 32 minutes 44 seconds East for a distance of 92.62 feet;

THENCE South 17 degrees 42 minutes 21 seconds East for a distance of 91.04 feet to the northwesterly right-of-way of Bulloch Street (50 foot right-of-way width);

THENCE proceed along the northwesterly and northerly right-of-way of said Bulloch Street the following courses and distances:

Along a curve to the right having a radius of 650.02 feet and an arc length of 205.64 feet, being subtended by a chord of North 81 degrees 19 minutes 39 seconds East for a distance of 204.79 feet to a point;

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 43.16 feet to a point on the westerly right-of-way of aforesaid Davage Street (50-foot right-of-way);

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 50.07 feet to a point on the easterly right-of-way of Davage Street;

THENCE South 86 degrees 40 minutes 37 seconds East for a distance of 584.38 feet to a point at the easterly right-of-way of Middleton Street (50 foot right-of-way) and the POINT OF BEGINNING;

The POINT OF BEGINNING thus established, THENCE proceed along said easterly right-of-way of Middleton Street South 03 degrees 27 minutes 46 seconds West for a distance of 579.03 feet to a point at the northerly

(cont.)



MIDDLETON STREET

(Page 2)

right-of-way of Thirkeld Avenue (60 foot right-of-way);

THENCE proceed along said northerly right-of-way of Thirkeld Avenue North 84 degrees 14 minutes 48 seconds West for a distance of 50.04 feet to a point at the westerly right-of-way of aforesaid Middleton Street;

THENCE proceed along said westerly right-of-way of Middleton Street North 03 degrees 27 minutes 46 seconds East for a distance of 526.91 feet to a point on the southerly right-of-way of aforesaid Bulloch Street;

THENCE North 48 degrees 23 minutes 34 seconds East for a distance of 70.80 feet to the POINT OF BEGINNING.

Said property contains 0.6347 acres more or less.