

00-0 -0568

(Do Not Write Above This Line)

An Ordinance by Councilmembers Michael Bond and Debi Starnes

To create the Johnson Research & Development High Technology Commercial/Industrial Enterprise Zone; and for other purposes.

ADOPTED BY
MAY 15 2000
COUNCIL

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

Date Referred 4/3/00
 Referred To: CD/HJR
 Date Referred
 Referred To:
 Date Referred
 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee CD/HJR
 Date 4/2/00
 Chair _____
 Action: _____
 Fav. Adv. Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

Committee CD/HJR
 Date 5/10/00
 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
 MAY 15 2000
 Debi M. Starnes
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 MAY 15 2000
 Ruth Douglas Johnson
 MUNICIPAL CLERK

APPROVED
 MAY 23 2000
 Mayor



AN ORDINANCE

BY COUNCILMEMBER

TO CREATE THE JOHNSON RESEARCH & DEVELOPMENT HIGH-TECHNOLOGY COMMERCIAL/INDUSTRIAL ENTERPRISE ZONE; AND FOR OTHER PURPOSES.

WHEREAS, the Constitution of the State of Georgia was amended by referendum in November 1982 to grant the Council of the City of Atlanta the power and authority to create urban enterprise zones within the City; and

WHEREAS, enabling legislation known as the Atlanta Urban Enterprise Zone Act, as amended, gave the Council of the City of Atlanta the authority to designate areas within the City as commercial/industrial enterprise zones provided certain conditions are met; and

WHEREAS, designation of a commercial/industrial enterprise zone exempts the taxable value of property within the zone from ad valorem taxes; and

WHEREAS, certain types of property may be exempted from ad valorem taxes; certain conditions must be met by owners of private property to qualify for the exemption; and elections may be made by the Council among various types of exemptions as specified by state law; and

WHEREAS, state law provides that an exemption from ad valorem taxes for City purposes also includes, but is not limited to, taxes levied for school and educational purposes; and

WHEREAS, the Board of Commissioners of Fulton County, by resolution, may exempt from ad valorem taxes for County purposes the taxable value of the same property exempted by the City; and

WHEREAS, the City of Atlanta Development Impact Fee Ordinance provides that under certain conditions the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS, it is the express intent of the Council of the City of Atlanta to use urban enterprise zones as an incentive to generate private investment in areas of the City which otherwise might not attract such investment; and

WHEREAS, Johnson Research & Development Company, Inc. ("Johnson"), an internationally recognized product development and manufacturing business, has purchased an under-utilized industrial site at 263 Decatur St. within the Empowerment Zone of the City of Atlanta; and



WHEREAS, Johnson intends to locate its research and development activities at the Decatur St. site, and also intends to locate the high-technology battery development and manufacturing operations of its subsidiary, Excellatron LLC, at the site; and

WHEREAS, Johnson also is negotiating with other high-technology companies for rental of space for office and operations facilities at the site; and

WHEREAS, Johnson projects job creation of over 1000 jobs by 2005; and

WHEREAS, Johnson is working with state and local officials to development job recruitment and training programs for residents in the Empowerment Zone and the neighborhoods surrounding the site; and

WHEREAS, the Council finds that the conditions and qualifications of the Atlanta Urban Enterprise Zone Act, as amended, have been met relative to the Johnson Research & Development High-Technology Commercial/Industrial Enterprise Zone.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1. The Council of the City of Atlanta finds that the area in and around the Johnson Research & Development site is economically and socially depressed. The Council further finds that areas such as this site contribute to or cause unemployment, create an inordinate demand for public services, and, in general, have a deleterious effect on the public health, safety, welfare, and morals. The Council further finds that such areas, as is the case with the Johnson site, are characterized by lack of investment or under-investment by private enterprise in ventures which produce jobs, trade, services, and economic activities that individually and collectively contribute to a healthy society. This lack of private investment and economic activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprises place priority upon the employment of those residents in the economically and socially depressed areas designated as urban enterprise zones.

Section 2. The Johnson Research & Development High-Technology Commercial/Industrial Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be the date that construction begins on improvements to the property within the Zone. The aforesaid Zone shall remain in existence for 10 years from the first day of the calendar year immediately following the adoption of this ordinance creating the Zone. The aforesaid Zone shall not otherwise be abolished or diminished except in accordance with state law. A legal description of the Johnson Research & Development High-Technology Commercial/Industrial Enterprise Zone is attached hereto as Exhibit A and made a part hereof, and shall be on file in the Bureau of Planning and in the Office of the Municipal Clerk.

Section 3. The Municipal Clerk is hereby directed to transmit a copy of this ordinance and the legal description of the aforesaid Zone to the Tax Commissioner of Fulton County, the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the



Board of Education of the City of Atlanta immediately upon approval of the ordinance by the Mayor of Atlanta.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

May 15, 2000
May 23, 2000



EXHIBIT A

Parcel I

All that tract of land situate, lying and being in the City of Atlanta, Georgia, being a part of Land Lot Fifty-two (52) of the Fourteenth (14th) District of originally Henry, now Fulton County, Georgia, and more particularly described as follows:

Fronting One Hundred Five (105) feet on the South Side of Decatur Street, in said City of Atlanta, and extending back South, of same width at front, One Hundred Forty (140) feet, being a part of City Lot Number Ninety-seven (97) of the Subdivision of the said Land Lot, and bounded on the North by Decatur Street; on the East by City Lot Number Ninety-eight (98); South by part of City Lot No. Ninety-seven (97); and West by City Lot No. Ninety-six (96); said property fronts the right-of-way of Railroad in the rear and is the same property conveyed to Albert Steiner and A.F. Liehman by Virgil C. Norcross by deed dated April 4th, 1912, and recorded in Deed Book 331, Page 554, Fulton County Records.

Parcel II

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 52 of the 14th District of Fulton County, Georgia, lying between Moore and Bell Streets, south of Decatur Street, together with the buildings thereon known as Moore Street Compress, and more particularly described as follows:

BEGINNING at the point where a line running concentric with and 10 feet distant northwardly from the center line of the side track of Southern Railway Company lying next south of said Moore Street Compress property (being the track designated as track No. 638-14 on map attached to deed recorded in Deed Book 1269, page 466, of the deed records of said Fulton County, Georgia) intersects the West line of Bell Street, said point being also 22.9 feet northwardly from center of main track of Southern Railway Company running between Armour and Decatur Street freight Station, measured on a radial line therefrom at a point therein 1568 feet westwardly from milepost 637 on said railroad; and running thence westwardly, concentric with and 10 feet northwardly from the center of said track 638-14, 410.3 feet to the east line of Moore Street; thence north along the east line of Moore Street; 123.6 feet to a point; thence east along a line, which line forms an interior angle of 89 degrees 54 minutes with the preceding course, 110 feet to a point; thence north along a line, which line forms an exterior angle of 90 degrees 12 minutes with preceding course, 136.8 feet to the south line of Decatur Street; thence east along the south line of Decatur Street 100.54 feet to a point; thence south 138.22 feet to a railroad rail; thence easterly along a line, which line forms an exterior angle of 93 degrees 58 minutes with the preceding course, 50.85 feet to a point; thence continuing easterly along a line, which line forms



an exterior angle of 175 degrees 45 minutes with the preceding course, 150 feet to the west line of Bell Street; thence south along the west line of Bell Street, and forming an interior angle of 89 degrees 41 minutes with the preceding course, 103.84 feet to the point of beginning, and being more particularly shown on a plat of survey of this property made by C.R Roberts, Registered Engineer, dated December 29, 1958, a copy of which is on file in the office of the Atlanta Title Company.

AS TO PARCEL II hereinabove described, the warranty of title hereinbelow set forth is limited to the warranty of title of all property described in deed recorded in Deed Book 1269, Page 466, Fulton County Records.

Parcel III

Also,

All that certain lot of land of the Atlanta and Charlotte Air Line Railway Company situated in Land Lot 52 of Fulton County, Georgia, in the City of Atlanta, State of Georgia, described as follows:

BEGINNING in the south line of Decatur Street 205.8 feet west of the intersection of the west line of Moore Street with the south line of Decatur Street, measured along the south line of Decatur Street; and running thence westwardly with the south line of Decatur Street, 185 feet; thence southwardly, at an angle of 90 degrees to the south line of Decatur Street, 23 feet; thence southeastwardly, 15.2 feet to the southwest corner of the brick building now occupied by Southern G F Company, Inc.; thence northwardly, with the west line of said brick building, 130.2 feet to the point of beginning; containing 14,171 square feet; and being a part of the same land which was conveyed to The Atlanta and Charlotte Air Line Railway Company by the Atlanta National Bank by deed dated December 24, 1878, recorded in the office of the Clerk of the Superior Court of Fulton County, Georgia on June 11, 1879, in Book cc, Page 565.

THERE IS EXCEPTED from this conveyance so much of the property described as PARCEL III as has been acquired by the City of Atlanta for expressway purposes.

FURTHER LESS AND EXCEPT that portion of the above described property conveyed by Right of Way Deed from SGF Properties, Ltd, as successor by corporate name change to SGF Realty Company, to Department of Transportation, dated July 27, 1984, recorded in Deed Book 9095, Page 67, Fulton County, Georgia Records.



Parcel IV

Tract I:

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 52 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING at the southwest corner of Bell Street and Decatur Street and running thence south along the west side of Bell Street one hundred thirty-nine and sixty-six hundredths (139.66) feet; thence west one hundred fifty (150) feet to a point; thence continuing westerly fifty and eighty-five hundredths (50.85) feet to a railroad rail; thence north one hundred thirty-seven and thirty-seven hundredths (137.37) feet to the south side of Decatur Street; thence east along the south side of Decatur Street two hundred one and nineteen hundredths (201.19) feet to the point of beginning; being improved property known as Nos. 295-301 Decatur Street, S.E., according to the present numbering in the City of Atlanta.

Tract II:

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 52 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING at the southeast corner of Decatur Street and Moore Street; thence south along the east side of Moore Street 135 feet to the north side of property now or formerly owned by Southern Railroad Company; thence east along the north line of the said property 110 feet to the west side of the Southern Railroad property; thence north along the west line of said property 135 feet to the south side of Decatur Street; thence west along the south side of Decatur Street 110 feet to the point of beginning; being improved property known as No. 277 Decatur Street, according to the present numbering in the City of Atlanta.

Parcel V

All that tract or parcel of land, lying and being in the City of Atlanta in Land Lot 52 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the southeast corner of Decatur Street and Moore Street (Moore Street is now abandoned); running thence south along the east side of Moore Street a distance of 262.4 feet to the north right-of-way line of Georgia Railroad;



thence in a westerly direction along said north right-of-way line a distance of 50 feet, more or less, to the west side of Moore Street; thence north along the west side of Moore Street a distance of 280 feet to the south side of Decatur Street; thence east along the south side of Decatur Street a distance of 50 feet, more or less, to the point of beginning. Said described property being that portion of Moore Street lying between Decatur Street and the Georgia Railroad right-of-way, abandoned by Ordinance approved January 21, 1972.

The City of Atlanta reserves a general easement for all utilities, both public and private, now located, in said described property and including the right to enter upon said property to maintain, repair and enlarge said facilities.

Parcel VI

All that tract and parcel of land lying and being in the City of Atlanta, being a part of City Lot 98 in Land Lot 52 of the 14th District of originally Henry, now Fulton County, Georgia, more particularly described as follows:

BEGINNING at the southwest corner formed by the intersection of Decatur Street and Moore Street and extending thence west along the south side of Decatur Street 100 feet to property now or formerly of Steiner and Liebman (formerly V.C. Norcross), extending thence south along line now or formerly of Steiner and Liebman, 140 feet, more or less, to Southern Railway Company; thence east 100 feet to Moore Street; thence north along west side of Moore Street 140 feet, more or less, to point of beginning; and being known as No. 269 Decatur Street according to the old system of numbering.

COUNCIL PRESIDENT PROTEM DEBI STARNES PRESIDED

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

Atlanta City Council

Regular Session

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

| 05/15/00 Council Meeting | |
|--|---|
| ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADVERSED ON CONSENT AGENDA |
| <ol style="list-style-type: none"> 1. 00-O-0204 2. 00-O-0523 3. 00-O-0649 4. 00-O-0650 5. 00-O-0255 6. 00-O-0397 7. 00-O-0398 8. 00-O-0568 9. 00-O-0050 10. 00-O-0530 11. 00-O-0531 12. 00-O-0656 13. 00-O-0378 14. 00-O-0651 15. 00-O-0652 16. 00-O-0657 17. 00-O-0664 18. 00-O-0665 19. 00-R-0623 20. 00-R-0633 21. 00-R-0678 22. 00-R-0399 23. 00-R-0400 24. 00-R-0587 25. 00-R-0624 26. 00-R-0660 27. 00-R-0591 28. 00-R-0692 29. 00-R-0597 30. 00-R-0621 31. 00-R-0622 32. 00-R-0629 33. 00-R-0630 | <ol style="list-style-type: none"> 34. 00-R-0598 35. 00-R-0599 36. 00-R-0600 37. 00-R-0601 38. 00-R-0602 39. 00-R-0603 40. 00-R-0604 41. 00-R-0605 42. 00-R-0606 43. 00-R-0607 44. 00-R-0608 45. 00-R-0609 46. 00-R-0610 47. 00-R-0611 48. 00-R-0612 49. 00-R-0613 50. 00-R-0614 51. 00-R-0615 52. 00-R-0616 53. 00-R-0617 54. 00-R-0618 55. 00-R-0619 56. 00-R-0620 57. 00-R-0627 58. 00-R-0628 59. 00-R-0631 60. 00-R-0632 |