

CITY COUNCIL
ATLANTA, GEORGIA

01-0-0098



ORDINANCE BY

COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO ALLOW FOR THE SALE OF A NARROW STRIP OF LAND LOCATED AT 72 RICHMOND STREET, S.E. IN LAND LOT 53 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA TO THE ABUTTING PROPERTY OWNER IN ACCORDANCE WITH SECTIONS 2-1571, 2-1578 AND 138-5 OF THE CODE OF ORDINANCES; TO REPEAL ORDINANCE NO. 00-O-1114; AND FOR OTHER PURPOSES.

WHEREAS, the City purchased real property located 72 Richmond Street, S.E. to be utilized for the extension of Reed Street in the Summerhill Neighborhood; and

WHEREAS, the Reed Street extension is completed and a narrow strip of land remains that is surplus property and no longer needed for public purposes; and

WHEREAS, pursuant to Section 2-1571 of the Procurement and Real Estate Code of the City, the narrow strip of land at 72 Richmond Street is so shaped or so small as to be incapable of being used independently as zoned or under applicable subdivision or other development ordinances of the City; and

WHEREAS, the narrow strip of land at 72 Richmond Street shall be appraised and sold to the abutting property owner(s) at fair market value in accordance with the procedures outlined in Sections 2-1578 and 138-5 of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That Ordinance # 00-O-1114 is hereby repealed and the property known as 72 Richmond Street lying and being in Land Lot 53 of the 14th District of Fulton County, City of Atlanta, Georgia, as shown on the attached Exhibit "A", be and the same is hereby declared surplus property and no longer useful or necessary for the public's use and convenience.

Section 2: That the Director of the Bureau of Purchasing and Real Estate is hereby authorized to appraise said property to determine its fair market value and to sell the property to the abutting property owner or owners in proportion to their abutting fee ownership pursuant to Section 2-1578 and Section 138-5 of the City Code.

Section 3: That the Director of the Bureau of Purchasing and Real Estate shall notify the abutting owner(s) of:



- a. The intent of the City to surplus the property at 72 Richmond Street;
- b. The public hearing regarding the disposal of the property as provided in Section 138-5 of the City Code;
- c. The authorization to obtain an appraisal;
- d. The fair market value of the tract according to the appraisal; and
- e. The consideration acceptable to the City for the owner(s) to acquire the tract or an interest therein.
- f. **The abutting property owner agrees to pay the City the fair market value of the property as determined by the appraisal.**

Section 4: That the Mayor be and is hereby authorized to execute a quitclaim deed conveying said property to the abutting property owner and is further authorized to execute all instruments and documents necessary to close this transaction.

Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daphne Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

FEB 19, 2001
FEB 24, 2001

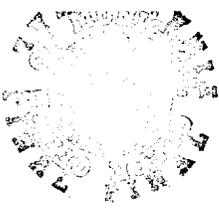


Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 53 of the 14th District of Fulton County, Georgia and more particularly described as follows:

BEGINNING at a point on the North side of Richmond Street 233 feet from the northeast corner of Richmond and Fraser Streets; running thence easterly along the North side of Richmond Street 37 feet to a point. Thence northerly 125 feet to a point; thence running westerly 37 feet to a point; running thence southerly 125 feet to Richmond Street and the **POINT OF BEGINNING**. Being improved property known as 72 Richmond Street, S. E., Atlanta, Georgia.



WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

This Indenture made this 5th day of January, in the year One Thousand Nine Hundred Ninety-Six, between FRANK CLIFTON, of the County of Fulton, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and CITY OF ATLANTA, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Twenty-Two Thousand and 00/100 (\$22,000.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 53 of the 14th District of Fulton County, Georgia and more particularly described as follows:

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Fulton County, Georgia
Real Estate Transfer Tax
Paid \$ 22.00
Date 1/5/96
JUANITA HICKS
Clerk, Superior Court
By: [Signature]
Deputy Clerk

GEORGIA, FULTON COUNTY
FILED AND RECORDED
96 JAN - 8 AM 8:30
JUANITA HICKS
CLERK, SUPERIOR COURT

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public



MY COMMISSION EXPIRES FEB. 9, 1996

[Signature] (Seal)
FRANK CLIFTON

_____ (Seal)

_____ (Seal)

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COUNTY OF FAYETTE

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By: [Signature]
Deputy Clerk

GEORGIA, FULTON COUNTY
FILED AND RECORDED
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JUANITA HICKS
CLERK, SUPERIOR COURT

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AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

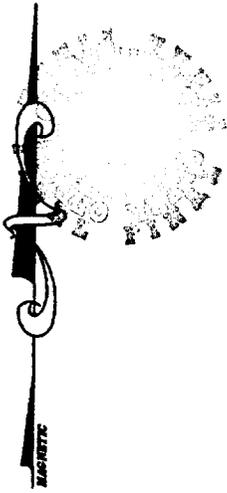
[Signature] (Seal)
FRANK CLIFTON

[Signature]
Notary Public

_____ (Seal)

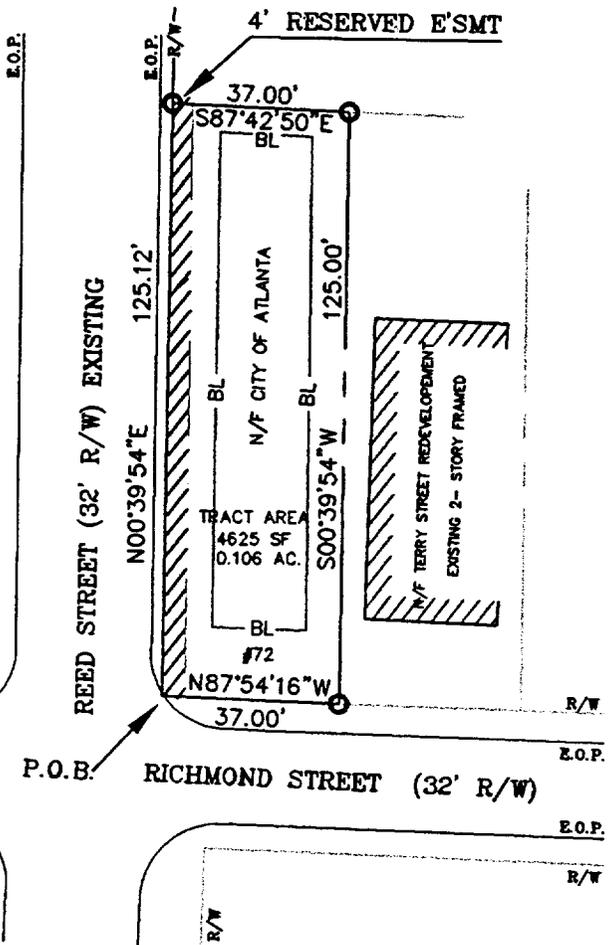
_____ (Seal)





REFERENCE NOTES

THIS PLAT RESERVES A FOUR FOOT WIDE EASEMENT FOR FUTURE SIDEWALK USE.



LEGEND

- E'SMT - EASEMENT
- BL - BUILDING LINE
- EOP - EDGE OF PVMT.
- R/W - RIGHT-OF-WAY
- N/F - NOW OR FORMERLY
- POB - POINT OF BEGINNING
- - IRON PIN FOUND

ZONING R4-B

Building Line Setback

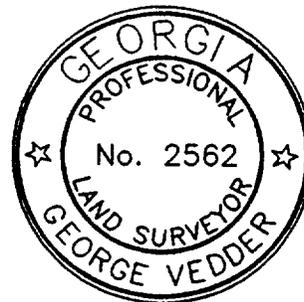
- SIDE & REAR - 5'
- REED STREET, SIDE - 10'
- RICHMOND STREET, FRONT - 20'

SURVEYOR'S CERTIFICATION

IN MY OPINION, I CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMALLY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE GEORGIA PLAT LAW.

THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAYS, PUBLIC OR PRIVATE. ALL MATTERS OF TITLE ARE EXCEPTED.

George Vedder
 GEORGE VEDDER, GA. REGISTERED
 LAND SURVEYOR #2562



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF ONE SECONDS PER ANGLE POINT, AND WAS ADJUSTED BY THE LEAST SQUARE RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

CITY OF ATLANTA DEPARTMENT OF PUBLIC WORKS BUREAU OF HIGHWAYS AND STREETS TECHNICAL SERVICES DIVISION						
#72 RICHMOND STREET CITY OWNED SURPLUS PROPERTY						
SURVEYOR	FIELD	BOOK	LL	DIST.	COUNTY	SCALE
M.A.	03	00	53	14	FULTON	1"=40'
DESIGNED BY	DRAWN	BY	CHECKED	BY	APPROVED BY	DATE
	G.V.		G.V.			9/21/00
DRAWING IS TO BE CONSIDERED						
DRAWING NO. SHEET						



RCS# 2621
2/19/01
3:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru 13

SEE ATTACHED LISTING OF ITEMS
ADOPTED/ADVERSED ON
CONSENT AGENDA

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0223
01-R-0184

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 00-O-1619
2. 00-O-2073
3. 01-O-0112
4. 01-O-0069
5. 01-O-0072
6. 01-O-0211
7. 01-O-0213
8. 01-O-0121
9. 01-O-0151
10. 01-O-0098
11. 01-O-0075
12. 01-R-0226
13. 01-R-0191
14. 01-R-0192
15. 01-R-0076
16. 01-R-0194
17. 01-R-0215
18. 01-R-0167
19. 01-R-0198
20. 01-R-0208
21. 01-R-0246
22. 01-R-0070
23. 01-R-0182
24. 01-R-0183
25. 01-R-0158
26. 01-R-0159
27. 01-R-0160
28. 01-R-0161
29. 01-R-0162
30. 01-R-0163
31. 01-R-0164
32. 01-R-0165
33. 01-R-0166

**ITEMS ADVERSED
ON CONSENT AGENDA**

34. 01-R-0169
 35. 01-R-0170
 36. 01-R-0171
 37. 01-R-0172
 38. 01-R-0173
 39. 01-R-0174
 40. 01-R-0175
 41. 01-R-0176
 42. 01-R-0177
 43. 01-R-0195
 44. 01-R-0196
 45. 01-R-0197
-

01-0-0098

(Do Not Write Above This Line)

ORDINANCE BY

COUNCIL MEMBER DEBI STARNES

AN ORDINANCE TO ALLOW FOR THE SALE OF A NARROW STRIP OF LAND LOCATED AT 72 RICHMOND STREET, S.E. IN LAND LOT 53 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA TO THE ABUTTING PROPERTY OWNER IN ACCORDANCE WITH SECTIONS 2-1571, 2-1578 AND 138-5 OF THE CODE OF ORDINANCES; TO REPEAL ORDINANCE NO. 00-0-1114; AND FOR OTHER PURPOSES.

2/5/01 - Referred Back to Committee without Objections ADOPTED BY Council

FEB 19 2001

AS AMENDED COUNCIL

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

Date Referred 1/16/01

Referred To: Finance / Executive

Date Referred 2/5/01

Referred To: City Utilities

Date Referred

Referred To:

First Reading

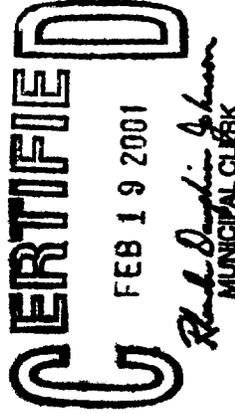
Committee _____
Date _____
Chair _____
Referred to _____

Committee City Utilities
Date 1/30/01
Chair Debi Starnes
Action: Fav, Adv, Hold (see rev. side)
Other: _____
Members Debi Starnes, Phillip Sparks, [Signature]
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



MAYOR'S ACTION

