



**AN ORDINANCE BY COUNCILMEMBER LEE MORRIS
AS SUBSTITUTED BY FULL COUNCIL**

An ordinance to exchange approximately 2,780 square feet of City of Atlanta property abutting 15th Street and Lombardy Way for 3,041 square feet of Woodruff Arts Center property abutting Lombardy Way for the purpose of realigning portions of 15th and 16th and Lombardy Way; and for other purposes.

WHEREAS, the City of Atlanta has received a request from the Woodruff Arts Center to exchange certain property that they own abutting Lombardy Way, 15th Street, and 16th Street to facilitate the expansion of the Woodruff Arts Center located at 1280 Peachtree Street, NE.

WHEREAS, the exchanged right-of-way presently owned by the City of Atlanta abutting 15th Street and Lombardy Way shall become inclusive of the Woodruff Arts Center expansion,

WHEREAS, the property presently owned by the Woodruff Arts Center shall become deeded to the City of Atlanta by Quit-Claim Deed.

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

SECTION 1: That the Woodruff Arts Center, being the property owner has petitioned the City for the exchange of a portion of private property (approximately 3,041 square feet) abutting 15th Street, 16th Street and Lombardy Way as described in the attached Exhibits A (1) and A (2) shown on the attached plan prepared by John G. Adams of LANDAIR Surveying, Inc., dated November 28, 2000 (last revised March 29, 2001) to the City of Atlanta.

SECTION 2: That the City of Atlanta, being the owner of property (approximately 2,780 square feet) abutting 15th Street and Lombardy Way as described in Exhibit B and shown on the attached plan prepared by John G. Adams of LANDAIR Surveying Inc., dated November 28, 2000 (last revised March 29, 2001) shall exchange such property for that indicated in Exhibit B.

SECTION 3: That no payment be necessary to the City of Atlanta for this transaction given that the land exchanged by the Woodruff Arts Center (approximately 3,041 square feet) exceeds the property exchanged by the City (approximately 2,780 square feet), thereby resulting in a net gain of property to the City of Atlanta.

SECTION 4: That the City Attorney is authorized to prepare warranty deeds on behalf of the City of Atlanta to accomplish this ordinance.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

APR 02, 2001
APR 10, 2001

EXHIBIT A (X)

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
PARCEL 3
AREA = 0.02 ACRES

All that tract or parcel of land lying in and being part of Land Lot 117 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an Iron pin set at the intersection of the southerly right-of-way line of Sixteenth Street (50-foot Right-of-Way) with the easterly right-of-way line of Lombardy Way (Right-of-Way Varies); THENCE proceed along said easterly right-of-way line of Lombardy Way South 11 degrees 06 minutes 50 seconds East for a distance of 228.32 feet to an iron pin set; THENCE continuing along said right-of-way line, proceed South 28 degrees 49 minutes 16 seconds West for a distance of 20.34 feet to a point; THENCE, continuing along said right-of-way line, proceed South 28 degrees 49 minutes 16 seconds East for a distance of 8.85 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed South 11 degrees 08 minutes 16 seconds East for a distance of 198.20 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed South 28 degrees 53 minutes 16 seconds East for a distance of 113.25 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed along a curve to the left having a radius of 18.99 feet and an arc length of 8.68 feet, being subtended by a chord of South 41 degrees 05 minutes 07 seconds East for a distance of 8.61 feet to a point; said point being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING, as thus established and leaving said easterly right-of-way line of Lombardy Way, proceed South 89 degrees 59 minutes 12 seconds East for a distance of 204.24 feet to a point; THENCE proceed South 01 degrees 31 minutes 35 seconds West for a distance of 4.15 feet to a point on the northerly right-of-way line of Fifteenth Street (50-foot Right-of-Way); THENCE proceed along said northerly right-of-way line of Fifteenth Street North 89 degrees 49 minutes 16 seconds West for a distance of 192.80 feet to an iron pin set at the intersection of the northerly right-of-way line of Fifteenth Street (50-foot Right-of-Way) with the easterly right-of-way line of Lombardy Way (Right-of-Way Varies); THENCE proceed along said easterly right-of-way line of Lombardy Way along a curve to the right having a radius of 18.99 feet and an arc length of 12.09 feet, being subtended by a chord of North 72 degrees 25 minutes 13 seconds West for a distance of 11.88 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.02 acres and is shown on, and described according to, that certain plat titled "Boundary & Topographic Survey For Bovis Lend Lease" by Landair Surveying, Inc., dated November 28, 2000, last revised March 29, 2001, and bearing the seal of Jon G. Adams Georgia RLS # 2768, which survey is hereby made part of this legal description by this reference.

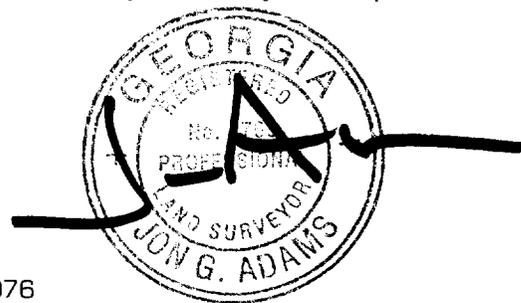




EXHIBIT A(2)

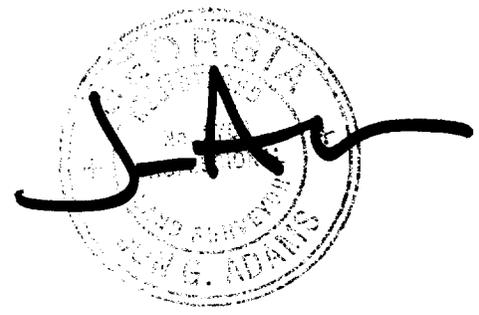
LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
PARCEL 1
AREA = 0.05 ACRES

All that tract or parcel of land lying in and being part of Land Lot 117 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Commencing at an Iron pin set at the intersection of the southerly right-of-way line of Sixteenth Street (50-foot Right-of-Way) with the easterly right-of-way line of Lombardy Way (Right-of-Way Varies), said iron pin set being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING, as thus established, proceed along said southerly right-of-way line of Sixteenth Street North 61 degrees 08 minutes 15 seconds East for a distance of 158.50 feet to a point; THENCE leaving said right-of-way line proceed South 28 degrees 50 minutes 51 seconds East for a distance of 4.89 feet to a point; THENCE proceed South 61 degrees 09 minutes 16 seconds West for a distance of 153.81 feet to a point; THENCE proceed South 11 degrees 10 minutes 15 seconds East for a distance of 244.51 feet to a point on said easterly right-of-way line of Lombardy Way; THENCE proceed along said easterly right-of-way line North 28 degrees 49 minutes 16 seconds West for a distance of 20.34 feet to an iron pin set; THENCE continuing along said easterly right-of-way line, proceed North 11 degrees 06 minutes 50 seconds West for a distance of 228.32 feet to an Iron pin set at the intersection of the southerly right-of-way line of Sixteenth Street (50-foot Right-of-Way) with the easterly right-of-way line of Lombardy Way (Right-of-Way Varies), said iron pin set being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.05 acres and is shown on, and described according to, that certain plat titled "Boundary & Topographic Survey For Bovis Lend Lease" by Landair Surveying, Inc., dated November 28, 2000, last revised March 29, 2001, and bearing the seal of Jon G. Adams Georgia RLS # 2768, which survey is hereby made part of this legal description by this reference.



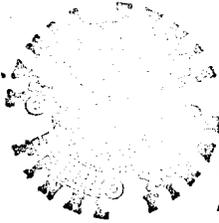


EXHIBIT B

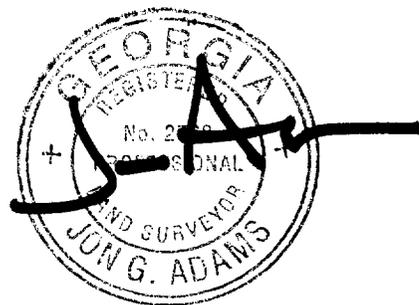
LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL 2
AREA = 0.06 ACRES

All that tract or parcel of land lying in and being part of Land Lot 117 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an Iron pin set at the intersection of the southerly right-of-way line of Sixteenth Street (50-foot Right-of-Way) with the easterly right-of-way line of Lombardy Way (Right-of-Way Varies); THENCE proceed along said easterly right-of-way line of Lombardy Way South 11 degrees 06 minutes 50 seconds East for a distance of 228.32 feet to an iron pin set; THENCE continuing along said right-of-way line, proceed South 28 degrees 49 minutes 16 seconds West for a distance of 20.34 feet to a point, said point being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING, as thus established and continuing along said easterly right-of-way line of Lombardy Way, proceed South 28 degrees 49 minutes 16 seconds East for a distance of 8.85 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed South 11 degrees 08 minutes 16 seconds East for a distance of 198.20 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed South 28 degrees 53 minutes 16 seconds East for a distance of 113.25 feet to an iron pin set; THENCE, continuing along said right-of-way line, proceed along a curve to the left having a radius of 18.99 feet and an arc length of 8.68 feet, being subtended by a chord of South 41 degrees 05 minutes 07 seconds East for a distance of 8.61 feet to a point; THENCE, leaving said easterly right-of-way line of Lombardy Way, proceed North 89 degrees 59 minutes 12 seconds West for a distance of 42.13 feet to a point; THENCE proceed North 11 degrees 10 minutes 15 seconds West for a distance of 313.80 feet to a point on the easterly right-of-way line of Lombardy Way, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.06 acres and is shown on, and described according to, that certain plat titled "Boundary & Topographic Survey For Bovis Lend Lease" by Landair Surveying, Inc., dated November 28, 2000, last revised March 29, 2001, and bearing the seal of Jon G. Adams Georgia RLS # 2768, which survey is hereby made part of this legal description by this reference.



LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW

01-0-0345

(Do Not Write Above This Line)

AN ORDINANCE

AN ORDINANCE TO EXCHANGE APPROXIMATELY 2,786 SQ. FT. OF CITY OF ATLANTA PROPERTY ABUTTING 15TH STREET AND LOMBARDY WAY FOR 3,001 SQ. FT. OF WOODRUFF ARTS CENTER PROPERTY ABUTTING LOMBARDY FOR THE PURPOSE OF REALIGNING PORTIONS OF 15th AND 16th STREET AND LOMBARDY WAY AND FOR OTHER PURPOSES.

4/2/01 - Substitute Brought Forward by roll call vote. Adopted on Substitute by roll call vote

ADOPTED BY
APR 0 2 2001
COUNCIL

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

Date Referred 2/19/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee *City Utilities*
 Date *2-27-01*
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

Committee *City Utilities*
 Date *3/27-01*
 Chair *Alan Dulle*
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members *Chris D'Amico, Keith Brantley, Deyth Starnes*
 Refer To _____

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
 APR 2 2001
 ATLANTA CITY COUNCIL PRESIDENT
Robert R. Price

CERTIFIED
 APR 1 2001
 CITY CLERK
Christina Johnson

MAYOR'S ACTION

APPROVED
 APR 1 2001
WM