

AN ORDINANCE

01-O-1900

BY COUNCILMEMBERS MICHAEL BOND AND VERN MCCARTY

AS SUBSTITUTED AND AMENDED BY CITY UTILITIES COMMITTEE

AUTHORIZING THE ABANDONMENT OF OBSOLETE WATER AND SEWER EASEMENTS ON PROPERTY OWNED BY ATLANTIC STATION, L.L.C. IN LAND LOTS 108, 148 AND 149 OF THE 17TH DISTRICT OF FULTON COUNTY; ACKNOWLEDGING AND ACCEPTING DEDICATION OF SEWER EASEMENTS FOR THE NEW STORM AND SANITARY SEWER SYSTEM CONSTRUCTED BY ATLANTIC STATION, L.L.C.; AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND INSTRUMENTS; AND FOR OTHER PURPOSES.

WHEREAS, Atlantic Station L.L.C. (“Atlantic Station”) owns certain real property within the Atlantic Steel Brownfield Redevelopment Area and Tax Allocation District in Land Lots 108, 148, and 149 of the 17th District of Fulton County, Georgia (the “Property”); and

WHEREAS, the City of Atlanta has adopted a Redevelopment Plan for redevelopment of the abandoned steel mill site into a “live-work-play” community of residences, offices, retail and entertainment establishments, and hotels; and

WHEREAS, Atlantic Station has begun constructing the infrastructure necessary to support the new development; and

WHEREAS, the stormwater and wastewater conveyance systems existing on the Property at the time of adoption of the Redevelopment Plan were not suitable for the planned redevelopment; and

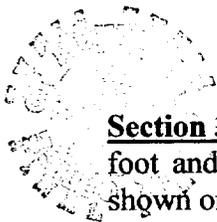
WHEREAS, Atlantic Station designed and constructed separate storm sewer and wastewater conveyance systems on the Property to convey upstream flows plus on-site generated stormwater and wastewater loads safely through the site; and

WHEREAS, stormwater is now conveyed through an 8-foot by 8-foot concrete box culvert, which is sized for the drainage basin plus the anticipated Atlantic Station development; and

WHEREAS, the 8-foot by 8-foot box culvert was designed so that it can become part of a separated sanitary and stormwater collection system to be constructed and operated by the City; and

WHEREAS, a separate 36-inch sewer was designed and constructed to convey the wastewater flows from the existing 24-inch sanitary sewer upstream of the development plus the wastewater loads anticipated from the Atlantic Station development; and

WHEREAS, the 8-foot by 8-foot box culvert and the 36-inch sewer extend onto adjacent properties owned by Narjoe Timber Company (“Narjoe”) and Norfolk Southern Railway



Section 3. The City hereby abandons any rights the City may have with respect to the 40 foot and 20 foot private sewer easements leading from the Norfolk Southern right-of-way as shown on Exhibit "A."

Section 4. The City hereby abandons the easement recorded in Fulton County Deed Book 3880, Page 417 for an obsolete water line that has been removed.

Section 5. The City hereby abandons any rights it may have with respect to the Property to a water line formerly located in the segment of Mecaslin Street that was abandoned to the adjacent property owner in the mid-1900s.

Section 6. The City hereby accepts dedication from Atlantic Station of the sewer easements depicted and described on Exhibit "B" attached to this ordinance and incorporated herein by reference.

Section 7. The City hereby accepts assignment from Atlantic Station of the sewer easements granted to Atlantic Station by Narjoe and Norfolk Southern as previously described in this ordinance.

Section 8. The Mayor or his designee is authorized to execute any documents and instruments necessary to accomplish the abandonments and dedications set forth in Sections 1. – 7.

Section 9. The City Attorney is authorized to prepare all necessary documents and instruments and to record all documents in the records of Fulton County as required.

Section 10. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

NOV 19, 2001
NOV 27, 2001

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW

01-0-1900

(Do Not Write Above This Line)

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 BY COUNCILMEMBER *[Signature]*
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 WATER AND SEWER EASEMENTS ON THE PROPERTY
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 THE MAYOR TO EXECUTE ANY NECESSARY
 DOCUMENTS AND INSTRUMENTS; AND FOR OTHER
 PURPOSES

ADOPTED BY
 NOV 19 2001
 COUNCIL

Substitute A3 Amended

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

Date Referred *11/5/01*

Referred To: *City Utilities*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee *City Utilities*

Date *11/13/01*

Chair *[Signature]*

Action: Fav, Adv, Hold (see rev. side)

Other: *Substitute A3 Amended*

Members *[Signatures]*

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

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

NOV 19 2001

ATLANTA CITY COUNCIL

[Signature]

CERTIFIED

NOV 19 2001

[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

NOV 27 2001

[Signature]

RCS# 3295
11/19/01
5:13 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 17

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Reconsidered

Without

Objection

(See RCS # 3272)

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

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-1653
01-O-1788
01-O-1789
01-O-1887

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

- | | |
|---------------|---------------|
| 1. 00-O-1291 | 39. 01-R-1807 |
| 2. 01-O-1578 | 40. 01-R-1808 |
| 3. 01-O-1720 | 41. 01-R-1866 |
| 4. 01-O-1876 | 42. 01-R-1858 |
| 5. 01-O-1877 | 43. 01-R-1859 |
| 6. 01-O-1900 | 44. 01-R-1860 |
| 7. 01-O-1740 | 45. 01-R-1861 |
| 8. 01-O-1741 | 46. 01-R-1862 |
| 9. 01-O-1742 | 47. 01-R-1863 |
| 10. 01-O-1744 | 48. 01-R-1871 |
| 11. 01-O-1904 | 49. 01-R-1902 |
| 12. 01-O-1725 | 50. 01-R-1930 |
| 13. 01-O-1732 | 51. 01-R-1931 |
| 14. 01-O-1733 | 52. 01-R-1940 |
| 15. 01-O-1734 | 53. 01-R-1731 |
| 16. 01-O-1735 | 54. 01-R-1778 |
| 17. 01-O-1736 | 55. 01-R-1779 |
| 18. 01-O-1737 | 56. 01-R-1780 |
| 19. 01-O-1738 | 57. 01-R-1797 |
| 20. 01-O-1739 | 58. 01-R-1896 |
| 21. 01-O-1790 | 59. 01-R-0868 |
| 22. 01-O-1872 | |
| 23. 01-O-1888 | |
| 24. 01-O-1897 | |
| 25. 01-O-1898 | |
| 26. 01-O-1905 | |
| 27. 01-O-1697 | |
| 28. 01-O-1726 | |
| 29. 01-O-1462 | |
| 30. 01-R-1603 | |
| 31. 01-R-1781 | |
| 32. 01-R-1784 | |
| 33. 01-R-1785 | |
| 34. 01-R-1803 | |
| 35. 01-R-1804 | |
| 36. 01-R-1805 | |
| 37. 01-R-1806 | |
| 38. 01-R-1924 | |
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