



**MUNICIPAL CLERK
CITY OF ATLANTA**

**AN ORDINANCE
AS AMENDED
BY CITY UTILITIES COMMITTEE**

AN ORDINANCE TO ABANDON A PORTION OF THE RIGHT-OF-WAY OF ENGLEWOOD AVENUE SAID PORTION BEING APPROXIMATELY 0.158 ACRES IN AREA, RUNNING BETWEEN CHADWICK STREET AND MILTON TERRACE A DISTANCE OF APPROXIMATELY 197 FEET AND LOCATED IN LAND LOTS 55 & 56 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS the City of Atlanta has received a petition to abandon a portion of the right-of-way of Englewood Avenue said portion being approximately 0.158 acres in area, running between Chadwick Street and Milton Terrace a distance of approximately 197 feet and located in Land Lots 55 & 56 of the 14th District, Fulton County, Georgia,

WHEREAS the Commissioner of the Department of Public Works has determined that said petition is complete and that the required application fee has been paid to the City of Atlanta; and

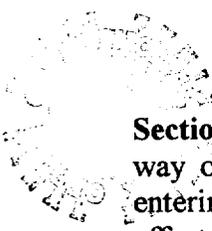
WHEREAS the petitioners are the sole property owners of the land abutting the street right-of-way proposed to be abandoned and petitioners will utilize the abandoned portion of said street right-of-way for commercial purposes; and

WHEREAS the abandoned street right-of-way shall become a part of the abutting property owner's private property and shall be their responsibility to maintain; and

WHEREAS the petitioners agree to purchase from the City of Atlanta at appraised fair market value the street right-of-way to be abandoned.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1. That a portion of the right-of-way of Englewood Avenue, running between Chadwick Street and Milton Terrace, a distance of approximately 197 feet, consisting of an area approximately 0.158 acres, lying in Land Lots 55 and 56 of the 14th District of Fulton County, Georgia, as shown on the attached survey plat marked "Exhibit A", is hereby declared no longer useful or necessary for the public use and convenience.



Section 2. That the City of Atlanta hereby abandons the above described portion of the right-of-way of Englewood Avenue with the reservation of permanent easements for the purpose of entering the property to operate, maintain, or replace utility facilities. Easements shall remain in effect until such time as said utilities may be abandoned, removed, or relocated, at which time said easements shall expire.

Section 3. That the payment by the petitioner of an amount equal to the fair market value shall be a condition of this abandonment.

Section 4. That the Director of the Bureau of Purchasing and Real Estate is hereby directed to have prepared an appraisal of the fair market value of the street right-of-way to be abandoned.

Section 5. That all costs associated with the appraisal of the subject property and all costs associated with the advertising of this petition for abandonment shall be charged to and paid from Account Number 1A01-524001-G55001.

Section 6. That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, the City Attorney, upon receipt of payment from the petitioner in the amount of the appraised fair market value of the property, is hereby directed to prepare a Quit Claim Deed for said abandoned street right-of-way.

Section 7. That the Mayor is hereby authorized to execute said Quit Claim Deed for the abandoned street right-of-way, all other conditions being satisfied.

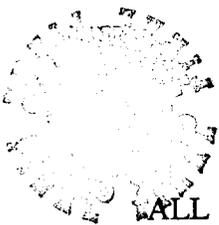
Section 8. Upon execution, all documents shall be filed and recorded with the Clerk of Superior Court of Fulton County .

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 18, 2002
MAR 26, 2002



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 55 AND 56 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR SET AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ENGLEWOOD AVENUE (UNIMPROVED) (RIGHT OF-WAY VARIES) AND THE WEST RIGHT OFF WAY LINE OF CHADWICK STREET (UNIMPROVED); THENCE FROM THE POINT OF BEGINNING AND RUNNING SOUTH 89 DEGREES 30 MINUTES 52 SECONDS WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE A DISTANCE OF 196.70 FEET TO A CRIMP TOP FOUND AT THE INTERSECTION OF THE SOUTHEAST RIGHT OF WAY LINE OF MILTON TERRACE (50 FOOT RIGHT OF WAY) AND SAID SOUTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE; THENCE RUNNING NORTH 00 DEGREES 49 MINUTES 13 SECONDS EAST A DISTANCE OF 34.57 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE; THENCE RUNNING NORTH 89 DEGREES 17 MINUTES 29 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE A DISTANCE OF 196.72 FEET TO A POINT; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE AND RUNNING SOUTH 00 DEGREES 49 MINUTES 16 SECONDS WEST A DISTANCE OF 35.34 FEET TO A REBAR SET AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF CHADWICK STREET (UNIMPROVED) AND THE NORTH RIGHT OF WAY LINE OF ENGLEWOOD AVENUE, SAID POINT BEING THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING .158 ACRE OR 6874 SQUARE FEET, MORE OR LESS.

::ODMA\PCDOCS\ATL\557792\1

EA (1)

S24°22'31"E 425.00'

TRACT
PLAT BOOK 8 P1

TRACT 4

PROPOSED R
N00°49'13"E
34.57'

PROPOSED R
S00°49'16"W
35.34'

S89°17'29"W 416.10'
N89°30'52"E 196.70'

N89°30'52"E

S00°49'13"W 193.43'

412.00'



CONCRETE DRIVE

N00°36'31"W 230.00'

S89°17'29"W 416.10'
N89°30'52"E 196.70'

N89°30'52"E
196.70'

P.O.B.



156.50'



ORIGINAL P
N62°50'02"W 252.81'

PROPOSED R
N55°49'34"W 271.22'

100.20'



N37°43'09"E
49.80'

125.52'

ACE (50' R/W)
ANA STREET
OPEN TOP
FOUND

DRS, Inc.
446

RCS# 3628
3/18/02
3:49 PM

Atlanta City Council

Regular Session

CONSENT I Pgs 1-13; Except 02-O-0167; 02-O-0458

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 02-O-0167 02-O-0458
Y Starnes	Y Fauver	B Martin	Y Norwood	
NV Young	Y Shook	Y Maddox	Y Willis	
Y Winslow	Y Muller	N Boazman	NV Woolard	

CORRECTED COPY

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0361
2. 02-O-0456
3. 02-O-0465
4. 02-O-0466
5. 02-O-0468
6. 02-O-0469
7. 02-O-0335
8. 02-O-0336
9. 02-O-0462
10. 02-O-0342
11. 02-O-0378
12. 02-O-0251
13. 02-O-0324
14. 02-O-0346
15. 02-O-0254
16. 02-O-0352
17. 02-R-0165
18. 02-R-0382
19. 02-R-0407
20. 02-R-0483
21. 02-R-0484
22. 02-R-0194
23. 02-R-0482
24. 02-R-0252
25. 02-R-0388
26. 02-R-0391
27. 02-R-0409

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0446
29. 02-R-0448
30. 02-R-0449
31. 02-R-0472
32. 02-R-0395
33. 02-R-0406
34. 02-R-0412
35. 02-R-0413
36. 02-R-0414
37. 02-R-0415
38. 02-R-0416
39. 02-R-0417
40. 02-R-0418
41. 02-R-0419
42. 02-R-0420
43. 02-R-0421
44. 02-R-0422
45. 02-R-0423
46. 02-R-0447

**ITEMS ADVERSED
ON CONSENT
AGENDA**

47. 02-R-0410
48. 02-R-0411
49. 02-R-0424
50. 02-R-0425
51. 02-R-0426
52. 02-R-0427
53. 02-R-0428
54. 02-R-0429
55. 02-R-0430
56. 02-R-0431
57. 02-R-0432
58. 02-R-0433
59. 02-R-0434
60. 02-R-0435
61. 02-R-0436
62. 02-R-0437
63. 02-R-0438
64. 02-R-0439
65. 02-R-0440
66. 02-R-0441
67. 02-R-0442
68. 02-R-0443
69. 02-R-0444
70. 02-R-0445

02-0-0336

(Do Not Write Above This Line)

AN ORDINANCE

BY: CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON A PORTION OF THE RIGHT OF WAY OF ENGLEWOOD AVENUE SAID PORTION BEING APPROXIMATELY 0.354 ACRES IN AREA, RUNNING BETWEEN CHADWICK STREET AND MILTON TERRACE A DISTANCE OF APPROXIMATELY 197 FEET AND LOCATED IN LAND LOTS 55 & 56 OF THE 14th DISTRICT, FULTON COUNTY, GEORGIA, AND FOR OTHER OTHER PURPOSES.

ADOPTED BY

MAR 18 2002

COUNCIL
AS AMENDED

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

Date Referred

3/4/02

Referred To:

City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
 Date 3/4/02
 Chair City
 Referred to City

Committee _____
 Date March 13, 2002
 Chair Clara Muller
 Action: _____
 Fav. Adv, Hold (see rev. side) _____
 Other: _____
 Members Clara Muller

 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
 MAR 18 2002
 ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED
 MAR 18 2002
 Municipal Clerk
Randolph Johnson

MAYOR'S ACTION
 MAR 26 2002
 Mayor
Minley Franklin