



AN ORDINANCE

BY COUNCILMEMBER DERRICK BOAZMAN  
AS AMENDED BY FULL COUNCIL

*D.M.C.*

02-0-0685

AN ORDINANCE TO ABANDON ADAMS STREET FROM ST. JOHNS AVENUE TO CLIMAX PLACE LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON CLIMAX PLACE FROM METROPOLITAN PARKWAY TO INTERSTATE 75/85 (LAKEWOOD FREEWAY) LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY, GEORGIA; TO ABANDON SPRING PLACE AND LEOLA STREET FROM METROPOLITAN PARKWAY TOWARD SCOTT STREET LYING AND BEING IN LAND LOT 90 OF DISTRICT 14, FULTON COUNTY GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a proposal to redevelop a tract of land containing a mobile home park known as Atlanta Trailer City which proposal requires abandonment of Adams Street from St. Johns Avenue to Climax Place; Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and Spring Place and Leola Street from Metropolitan Parkway toward Scott Street; and

WHEREAS, Climax Place is not an open street, and rights-of-way for Spring Place and Leola Street were deeded to the City of Atlanta, but said streets were never actually constructed and thus do not exist; and

WHEREAS, said streets are located in a blighted area of the City that would benefit from investment and redevelopment; and

WHEREAS, the redevelopment plan cannot be implemented without abandonment of said streets; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and its personal responsibility to maintain.

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

SECTION 1: An abutting property owner has petitioned for a street abandonment of Adams Street from St. Johns Avenue to Climax Place; for a street abandonment of Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and for a street abandonment of Spring Place and Leola Street from Metropolitan Parkway toward Scott Street.



said streets, by the need for investment and redevelopment in this area of the City, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 2: For purposes of the abandonment of the aforementioned streets, the procedures of Section 138-9(a)(6) of the Code of Ordinances shall be waived, said waiver being justified by the current condition of said streets, by the need for investment and redevelopment in this area of the City, to combat blight, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 3: That the petitioner for the street abandonment has met all other requirements of Section 138-9 of the Code of Ordinances of the City of Atlanta.

SECTION 4: That the requirements of Section 2-1574 of the Code of Ordinances are hereby waived, said waiver being justified by the current condition of said streets, by the need for investment and redevelopment in this area of the City, to combat blight, and to further the interests of health, safety and the general welfare of the City and its citizens.

SECTION 5: That Adams Street from St. Johns Avenue to Climax Place; Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway); and Spring Place and Leola Street from Metropolitan Parkway toward Scott Street, all lying and being in Land Lot 90 of District 14, Fulton County, Georgia as shown on attached Exhibit "A", are hereby declared no longer useful to necessary for public use and convenience.

SECTION 6: That the City of Atlanta hereby abandons the aforementioned streets.

SECTION 7: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated at which time, said easements shall expire.

SECTION 8: That the Mayor is hereby authorized to execute a quitclaim deed for said streets at such time as an application is filed for a building permit to allow redevelopment of the property surrounding said streets.

SECTION 9: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

NOV 04, 2002  
NOV 08, 2002

RCS# 4190  
11/04/02  
5:02 PM

Atlanta City Council

Regular Session

02-O-0685

Abandon portions of streets in Land Lot  
90, District 14, Fulton County  
ADOPT AS AMEND

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

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(Do Not Write Above This Line)

AN ORDINANCE BY *Nick Boazman*  
COUNCILMEMBER DERRICK BOAZMAN

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ADOPTED BY  
NOV 0 4 2002

COUNCIL  
*As Amended*

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

Date Referred 4/1/02

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee *CITY UTILITIES*  
Date *April 9 2002*  
Chair \_\_\_\_\_

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

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee *CITY UTILITIES*  
Date *Oct 27 2002*  
Chair *Clara Muller*

Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: *Pittman Hazel*

Members *Clara Muller*

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

- 2nd  1st & 2nd  3rd
- Readings
- Consent  V Vote  RC Vote

CERTIFIED

*CERTIFIED*  
NOV 0 4 2002

**CERTIFIED**  
NOV 0 4 2002

*Ruth Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**  
*Shirley 8 2002*

MAYOR