

AN ORDINANCE

03- 0 -1651

BY: CITY UTILITIES COMMITTEE

**AN ORDINANCE TO ABANDON WEST LINDMONT COURT, NE, EAST LINDMONT COURT, NE, AND LINDMONT CIRCLE, NE, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 49 OF THE 17<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has received a formal request from the abutting property owner to abandon West Lindmont Court, NE, East Lindmont Court, NE, and Lindmont Circle, NE to accommodate implementation of effective measures for security and improvement in management and operation of the property; and

**WHEREAS**, the City has determined that the referenced property is no longer useful or necessary for the public's use and convenience; and

**WHEREAS**, the abandoned right-of-way will become part of the abutting owner's private property and will be their responsibility to maintain, operate, and provide all services and utilities; and

**WHEREAS**, the request to abandon said streets has been reviewed by the proper City agencies and by all public utilities

**WHEREAS**, the abutting property owner's have agreed to acquire the Northmoor Streets from the City of Atlanta for the appraised fair market value; and

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

**SECTION 1.** That the portion of West Lindmont Court, N.E. from Lindbergh Drive south to the end of said right-of-way, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, same is hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 2.** That the portion of Lindmont Circle, N.E., from Lindbergh Drive south to end of said right-of-way, including the circular portion of Lindmont Circle, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, the same is hereby declared no longer useful or necessary for the public's use and convenience.

**SECTION 3.** That the portion of East Lindmont Court, N.E., from Lindbergh Drive south to end of said right-of-way, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 49 of the 17<sup>th</sup> District, Fulton County, Georgia, the same is hereby declared no longer useful or necessary for the public's use and convenience.



**SECTION 4.** That the City's intent is hereby given to abandon said streets.

**SECTION 5.** That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

**SECTION 6.** 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 7.** That no security measures shall be installed on the property such that will impede or obstruct in any way emergency access to the property.

**SECTION 8.** That the Director of Purchasing and Real Estate be and is hereby authorized to appraise said streets to determine their fair market land value.

**SECTION 9.** That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01524001G55001.

**SECTION 10.** That the Mayor be and is hereby authorized to execute a quitclaim deed to said streets.

**SECTION 11.** That all ordinance and parts of ordinances in conflict herewith be and the same are hereby repealed.

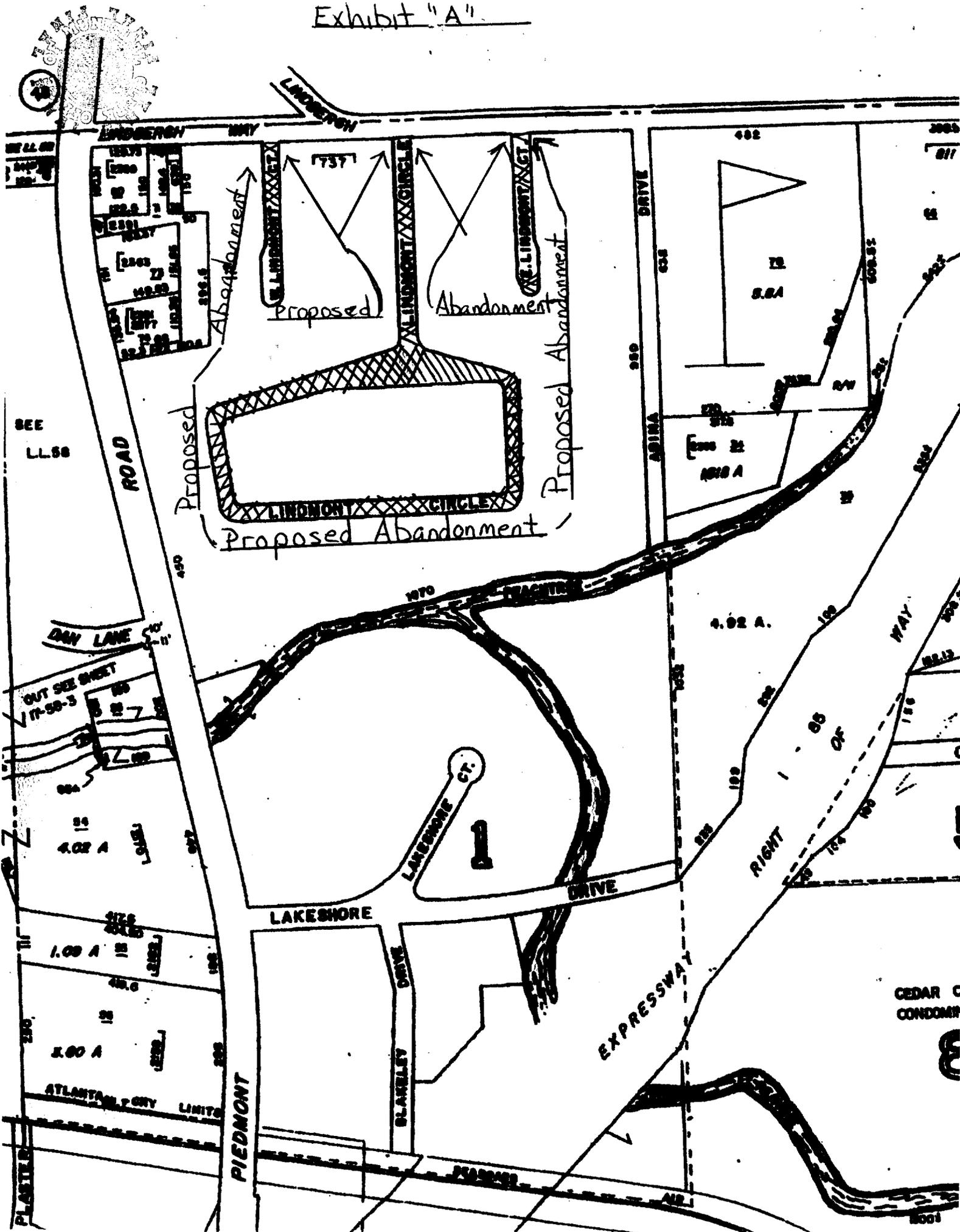
A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 03, 2003  
NOV 10, 2003

Exhibit "A"





RCS# 5123  
11/03/03  
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1860

ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

RCS# 5124  
11/03/03  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1676

ADOPT

YEAS: 9  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

**03-0-1651**  
(Do Not Write Above This Line)

**AN ORDINANCE BY**

BY: CITY UTILITIES COMMITTEE  
 AN ORDINANCE TO ABANDON CERTAIN PORTIONS OF WEST LINDMONT COURT, NE, EAST LINDMONT COURT, NE, AND LINDMONT CIRCLE, NE, AND BEING MORE + SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 49 OF THE 17<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES  
**ADOPTED BY**  
 NOV 03 2003  
**COUNCIL**

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

Date Referred 10-20-03

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading  
 Committee Date 10/24/03  
 Chair Robert M. Hubbard  
 Referred To

City Utilities  
 Date 10/24/03  
 Chair Robert M. Hubbard  
 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

Committee  
 Date  
 Chair  
 Action Fav, Adv, Hold (see rev. side)  
 Other  
 Members

Refer To

- FINAL COUNCIL ACTION**
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

**CERTIFIED**

**CERTIFIED**  
 NOV 03 2003  
 ATLANTA CITY COUNCIL PRESIDENT  
 Catherine W. Hubbard

**CERTIFIED**  
 NOV 03 2003  
 Frank Douglas Johnson  
 MUNICIPAL CLERK

**MAYOR'S ACTION**

**APPROVED**  
 NOV 10 2003  
**MAYOR**