

CLERK OF COUNCIL  
ATLANTA, GA  
EXHIBIT "C"

03- R-0102

RESOLUTION

BY:

/ ANNERFAUVER, COUNCILMEMBER

January \_\_, 2003

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE AN AGREEMENT TO PERMIT THE CONSTRUCTION OF TEMPORARY RETAINING WALLS LOCATED WITHIN AND UNDER THE PUBLIC RIGHT OF WAY ADJOINING THE PRIVATE PROPERTY BOUNDED ON THE WEST BY LOMBARDY WAY AND ON THE SOUTH BY FIFTEENTH STREET , WHEREIN THE CITY RESERVES THE RIGHTS TO LIMIT AND REGULATE THE USAGE OF THE SURFACE, SUB-SURFACE AND AERIAL SPACES WITHIN THE RIGHTS OF WAY: TO PROVIDE CONDITIONS FOR ALLOWING SAME: AND FOR OTHER PURPOSES.

WHEREAS, Robert W. Woodruff Arts Center, Inc., a Georgia non-profit corporation (hereinafter referred to as "Owner") is the fee-simple owner of a certain parcel of land bounded on the west by Lombardy Way and on the South by Fifteenth Street, and being more particularly described in Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Owner desires to obtain permission from the City of Atlanta to construct and maintain a temporary support system which employs temporary support within the rights of Lombardy Way, lying and being in Land Lot 105 of the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described in Exhibit "A".



NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that:

- 1) The Mayor is authorized to accept and execute on behalf of the City of Atlanta an agreement between the City and Owner, which permits Owner to construct and maintain a support system in the public rights-of-way; and
- 2) The Commissioner of the Public Works, acting as the Mayor's designate, is authorized to review and approve the terms and conditions for the construction, maintenance, and removal of said temporary support system, and to review and approve the plans for any construction, relocation, and/or modification to the referenced support system; and
- 3) The City Attorney is hereby directed to review an appropriate agreement for execution by the Mayor, to be approved by the City Attorney as to form; and
- 4) This agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Mayor and deliver to owner.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JAN 21, 2003  
JAN 28, 2003

A true copy

ADOPTED by City Council \_\_\_\_\_

APPROVED by the Mayor \_\_\_\_\_

DEPUTY CLERK CMC

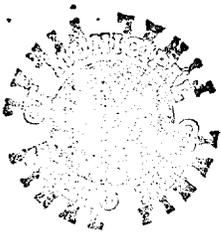


EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying in and being part of Land Lot 105 of the 17<sup>th</sup> District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set at the Southwesterly intersection of Peachtree Street (80' R/W) and Sixteenth Street (50' R/W), THENCE proceed South along the said right-of-way of Peachtree Street, South 28°48'11" East a distance of 522.20 feet to a point; THENCE continuing along a curve turning to the right an arc distance of 169.29 feet (said curve being subtended by a chord bearing South 23°32'14" East a distance of 168.97 feet) to a point; THENCE proceed South 19°21'18" East a distance of 59.62 feet to an iron pin set; THENCE along a curve turning to the right an arc distance of 132.57 feet (said curve being subtended by a chord bearing South 35°09'44" West a distance of 113.10 feet) to an iron pin set on the right-of-way of Fifteenth Street (50' R/W); THENCE proceed along said right-of-way, North 89°49'16" West a distance of 287.32 feet to a point; THENCE leaving said right-of-way, proceed North 01°31'35" East a distance of 4.15 feet to a point; THENCE proceed North 89°59'12" West a distance of 204.24 feet to a point; THENCE proceed North 89°59'12" West a distance of 42.13 feet to a point; THENCE proceed North 11°10'15" West a distance of 313.80 feet to a point; THENCE proceed North 11°10'15" West a distance of 244.51 feet to a point; THENCE proceed North 61°09'16" East a distance of 153.81 feet to a point; THENCE proceed North 28°50'51" West a distance of 4.89 feet to a point on the Southerly right-of-way of Sixteenth Street; THENCE proceed along said right-of-way, North 61°08'15" East a distance of 269.10 feet to an iron pin set, said iron pin set being the TRUE POINT OF BEGINNING; containing 8.3 acres as shown on plat of survey dated November 28, 2000 last revised on March 26, 2001 prepared for Bovis Lend Lease by John Adams Georgia Registered Land Surveyor No. 2768 of Landair Surveying Inc.

NOTES TO CONTRACTOR: SEE THE TOP OF WALL FOR THE LOCATION OF THE WALL. THE WALL IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND THE DETAILS SHOWN ON THIS PLAN. THE WALL IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND THE DETAILS SHOWN ON THIS PLAN. THE WALL IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND THE DETAILS SHOWN ON THIS PLAN.

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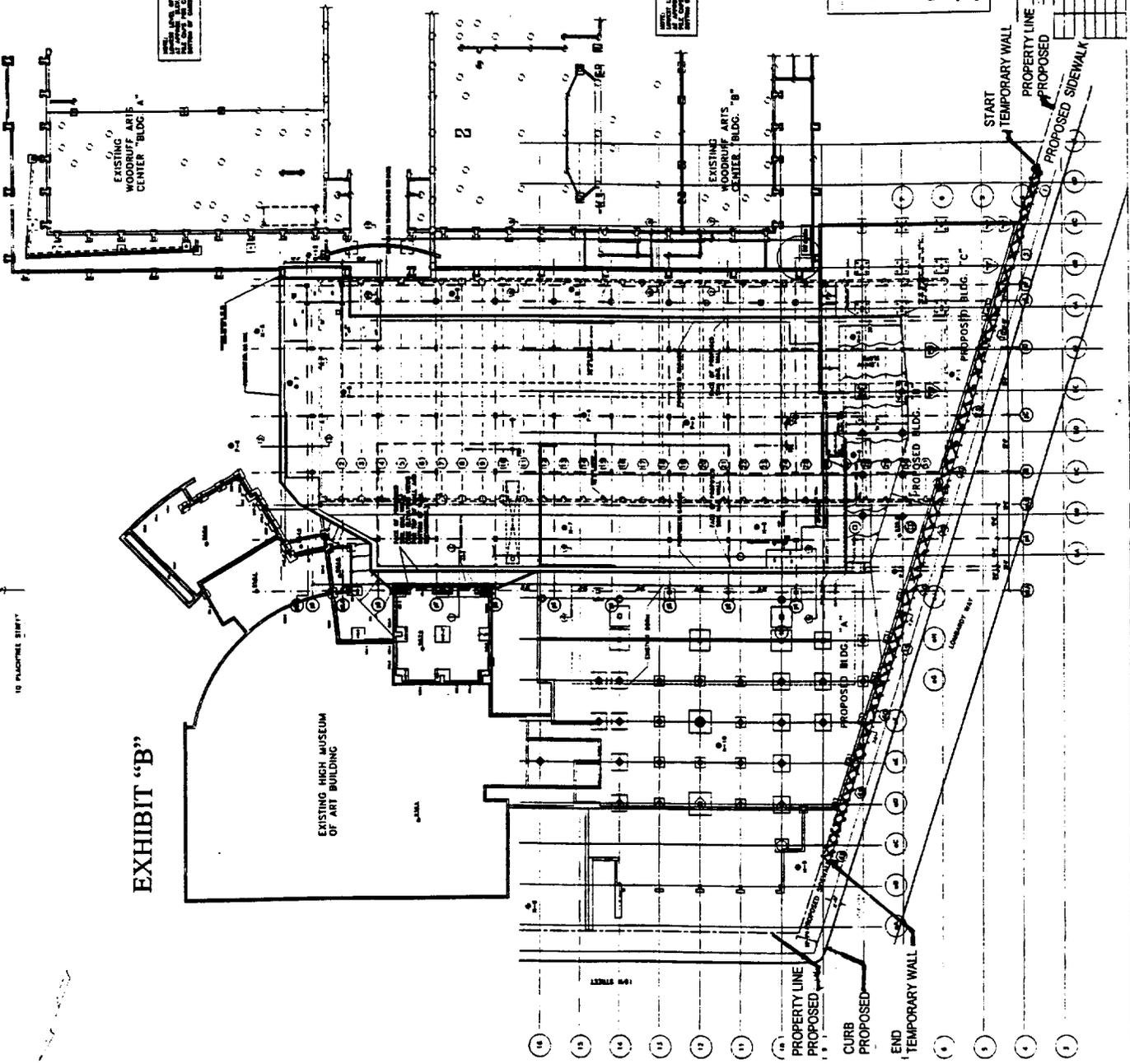
**LEGEND**

- 1. FINISH GRADE
- 2. EXISTING GRADE
- 3. PROPOSED GRADE
- 4. EXISTING WALL
- 5. PROPOSED WALL
- 6. EXISTING CURB
- 7. PROPOSED CURB
- 8. EXISTING SIDEWALK
- 9. PROPOSED SIDEWALK
- 10. EXISTING DRIVEWAY
- 11. PROPOSED DRIVEWAY
- 12. EXISTING UTILITY
- 13. PROPOSED UTILITY
- 14. EXISTING TREE
- 15. PROPOSED TREE
- 16. EXISTING FENCE
- 17. PROPOSED FENCE
- 18. EXISTING SIGN
- 19. PROPOSED SIGN
- 20. EXISTING LIGHT
- 21. PROPOSED LIGHT
- 22. EXISTING SIGN
- 23. PROPOSED SIGN
- 24. EXISTING LIGHT
- 25. PROPOSED LIGHT

ENCROUCHMENT ON  
RIGHT-OF-WAY



WOODRUFF ARTS CENTER EXPANSION EVALUATION SUPPORT SYSTEM	
PLAN & NOTES	
<b>Schnabel</b>	
11-13166	Sheet No. 14 of 17



**EXHIBIT "B"**

EXISTING HIGH MUSEUM  
OF ART BUILDING

EXISTING WOODRUFF ARTS  
CENTER BLDG. "A"

EXISTING WOODRUFF ARTS  
CENTER BLDG. "B"

PROPOSED BLDG. "A"

PROPOSED BLDG. "B"

PROPOSED BLDG. "C"

PROPERTY LINE  
PROPOSED

CURB  
PROPOSED

END  
TEMPORARY WALL

START  
TEMPORARY WALL

PROPERTY LINE  
PROPOSED

PROPOSED  
SIDEWALK

ENCROUCHMENT ON  
RIGHT-OF-WAY

10 PLANCHER STREET

RCS# 4410  
1/21/03  
5:25 PM

Atlanta City Council

Regular Session

03-R-0102

Authorize Retaining Walls  
on Portion of Lombardy Way  
ADOPT

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

03-R-0102

03-R-0102

(Do Not Write Above This Line)

RESOLUTION

BY: UTILITY COMMITTEE / ANNE FAUVER, COUNCILMEMBER  
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE AN AGREEMENT TO PERMIT THE CONSTRUCTION OF TEMPORARY RETAINING WALLS LOCATED WITHIN AND UNDER THE PUBLIC RIGHT-OF-WAY ADJOINING THE PRIVATE PROPERTY BOUNDED ON THE WEST BY LOMBARDY WAY AND ON THE SOUTH BY FIFTEENTH STREET, WHEREIN THE CITY RESERVES THE RIGHTS TO LIMIT AND REGULATE THE USAGE OF THE SURFACE, SUBSURFACE AND AERIAL SPACES WITHIN THE RIGHTS-OF-WAY: TO PROVIDE CONDITIONS FOR ALLOWING SAME: AND FOR OTHER PURPOSES.

ADOPTED BY

JAN 21 2003

COUNCIL

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

Date Referred

Referred To

Date Referred

Referred To

Date Referred

Referred To

First Reading

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

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. slide)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. slide)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. slide)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. slide)

Others

Members

Refer To

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
JAN 21 2003  
*Richard D. Johnson*  
Municipal Clerk

CERTIFIED  
JAN 21 2003  
*Richard D. Johnson*  
Municipal Clerk

MAYOR'S ACTION

*Amley*  
JAN 28 2003