



- CITY COUNCIL  
ATLANTA, GEORGIA

**SUBSTITUTE ORDINANCE**

**03-O-0230**

**BY TRANSPORTATION COMMITTEE**

**A SUBSTITUTE ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO EXECUTE AN AGREEMENT WHEREBY THE CITY OF ATLANTA SHALL MAINTAIN OWNERSHIP OF AND COLLEGE PARK SHALL MAINTAIN THE RIGHT OF WAY FOR THE RELOCATED SECTION OF SULLIVAN ROAD IN LAND LOT 38 OF THE 13<sup>th</sup> DISTRICT OF CLAYTON COUNTY, AND ALSO AUTHORIZING THE MAYOR, UNDER CERTAIN CIRCUMSTANCES, TO EXECUTE A WARRANTY DEED ON BEHALF OF THE CITY OF ATLANTA CONVEYING TO THE CITY OF COLLEGE PARK THAT SAME RELOCATED SECTION OF SULLIVAN ROAD; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (hereinafter "Atlanta") designed, constructed, and rerouted a portion of Sullivan Road located in the Fifth Runway Project area (hereinafter "Relocated Sullivan Road") at Hartsfield Atlanta International Airport (hereinafter "the Airport"); and

**WHEREAS**, one section of Relocated Sullivan Road, said section being located in Land Lot 38 of the 13th District of Clayton County, and said section being set forth in Exhibit 1 hereto, labeled "Relocated Sullivan Road Section", (hereinafter "the Relocated Section") shall be open to traffic until such time as the Relocated Section is needed to accommodate other Airport expansion set forth in the Airport's Master Plan; and

**WHEREAS**, the City of College Park (hereinafter "College Park") has agreed to maintain the Relocated Section at no cost to Atlanta until such time as Atlanta closes the Relocated Section to accommodate Airport expansion; and

**WHEREAS**, Atlanta and College Park now desire to set forth their mutual understandings concerning the maintenance and ownership of the Relocated Section.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee be and is hereby authorized to enter into an appropriate contractual agreement with College Park on behalf of Atlanta whereby the College Park shall maintain the Relocated Section, as shown on Exhibit 1 hereto, at no cost to Atlanta, until such time as Atlanta closes the Relocated Section to accommodate Airport expansion. The contractual agreement shall also indicate that, in the event that the Aviation General Manager determines and indicates to College Park in writing that the Airport will not need the Relocated Section for Airport expansion, Atlanta shall transfer ownership of the Relocated Section to College Park in fee simple.

**BE IT FURTHER ORDAINED** that the Mayor be and is hereby authorized to execute an appropriate warranty deed and any other legal instruments necessary to evidence the fee simple conveyance of the Relocated Section in the event that said conveyance becomes warranted, as described in the immediately preceding paragraph.

**BE IT FURTHER ORDAINED** that the City Attorney be and is hereby directed to prepare the contractual agreement and, if necessary, the warranty deed, for execution by the Mayor, to be approved by the City Attorney as to form.

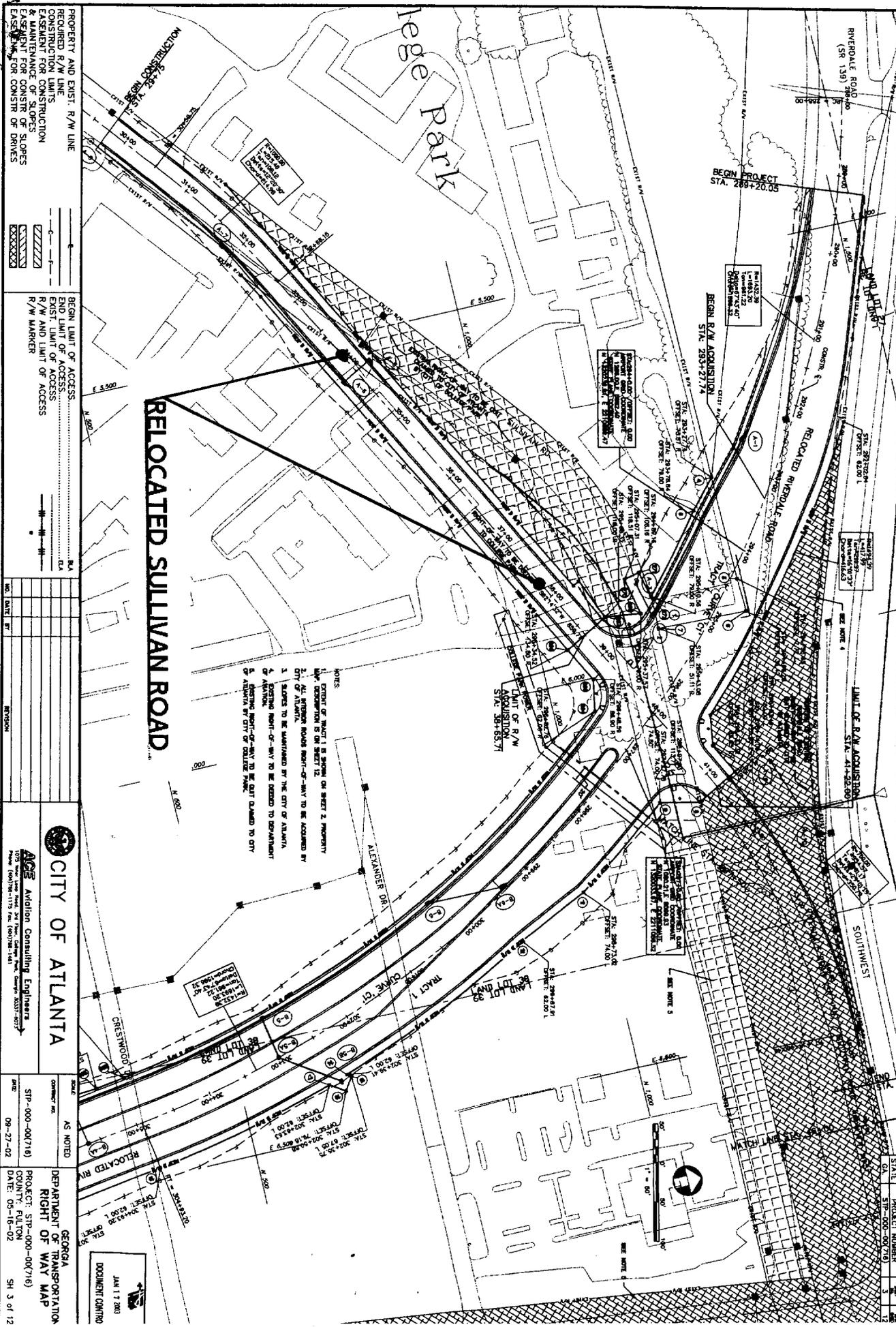
**BE IT FINALLY ORDAINED**, that the agreement and the warranty deed shall not become binding on Atlanta, and Atlanta shall incur no liability upon same until such agreement, and if necessary, such warranty deed, has/have been executed by the Mayor and delivered to College Park.

A true copy,

*Shanda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 03, 2003  
MAR 11, 2003



PROPERTY AND EXIST. R/W LINE  
 REQUIRED R/W LINE  
 CONSTRUCTION LIMITS  
 EASEMENT FOR CONSTRUCTION  
 & MAINTENANCE OF SLOPES  
 EASEMENT FOR CONSTRUCTION OF DRIVES

BEGIN LIMIT OF ACCESS  
 END LIMIT OF ACCESS  
 EXIST. LIMIT OF ACCESS  
 R/W AND LIMIT OF ACCESS  
 R/W MARKER

NO.	DATE	BY	REVISION

**CITY OF ATLANTA**  
 AGE Addition Consulting Engineers  
 1025 Peachtree Street, Suite 200, Atlanta, Georgia 30309  
 Phone: (404) 726-1175 Fax: (404) 726-1441

SCALE: AS NOTED  
 PROJECT: STP-000-007(16)  
 COUNTY: FULTON  
 DATE: 09-27-02  
 SHEET: SH 3 of 12

DOCUMENT CONTROL  
 JAN 17 2003

- NOTES
1. EXTENT OF TRACT 1 IS SHOWN ON SHEET 2. PROPERTY INFORMATION IS ON SHEET 2.
  2. CITY OF ATLANTA RIGHT-OF-WAY TO BE ACQUIRED BY CITY OF ATLANTA.
  3. SLOPES TO BE MAINTAINED BY THE CITY OF ATLANTA.
  4. AVOIDING RIGHT-OF-WAY TO BE CARED TO DEPARTMENT OF ATLANTA BY CITY OF COLLEGE PARK.

**EXHIBIT 1**

RCS# 4504  
3/03/03  
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

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

CONSENT 1

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**3/03/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent  
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
36. 03-R-0250
37. 03-R-0251
38. 03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

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Consent I Vote: 12Yeas; 0 Nays: (See RCS #4504)  
Item Removed from the Consent Agenda: 03-R-0321

03-0-0230

(Do Not Write Above This Line)

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO EXECUTE AN AGREEMENT AND WARRANTY DEED CONVEYING TO THE CITY OF COLLEGE PARK THE RIGHT OF WAY FOR THE RELOCATED SECTION OF SULLIVAN ROAD IN LAND LOT 38 OF THE 13th DISTRICT OF CLAYTON COUNTY; AND FOR OTHER PURPOSES.

ADOPTED BY

MAR 0 3 2003

COUNCIL

subject to be

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

Date Referred 2/17/03

Referred To: Trans Refraction

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*Wanda Smith*  
*C. T. Martin*  
*Michael Brown*  
*Walter D. Miller*  
*None 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

MAR 0 3 2003

ATLANTA CITY COUNCIL PRESIDENT

*Catherine W. Woodard*

CERTIFIED

MAR 0 3 2003

*Ronald D. Dunbar*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
*Charles Strickland*  
MAR 11 2003  
MAYOR