

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

03-R-0378

BY COUNCILMEMBER C.T. MARTIN

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF ATLANTA TO TERMINATE A SEWER EASEMENT ENCUMBERING PROPERTY LOCATED ON MARTIN LUTHER KING, JR., DR. WHICH IS BEING DEVELOPED AS AFFORDABLE RENTAL HOUSING TO BE KNOWN AS ADAMSVILLE PLACE SENIOR APARTMENTS, SAID TERMINATION TO OCCUR UPON THE RELOCATION OF THE EXISTING SEWER LINE AND FOR OTHER PURPOSES.

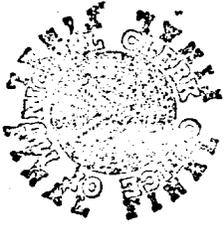
WHEREAS, Atlanta Neighborhood Development Partnership, Inc., a Georgia non-profit corporation (or certain affiliates thereof), is the owner of certain land located in Land Lot 15, District 14th, City of Atlanta, Fulton County, Georgia (the "Land"); and

WHEREAS, the Land is encumbered by a City of Atlanta Sewer Easement (the "Sewer Easement") recorded in Deed Book 4247, Page 68, Fulton County, Georgia records, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, said Sewer Easement serves only the Land; and

WHEREAS, it is intended that an affordable housing development to be known as Adamsville Place Senior Apartments (the "Development") is to be constructed on a portion of the Land; and

WHEREAS, the Development will be owned by Misty Amber, L.P., a Georgia Limited partnership (the "Partnership") whose general partner is CHP-



Misty, LLC, a Georgia limited liability company, of which an affiliate of Atlanta Neighborhood Development Partnership, Inc. is a member; and

WHEREAS, the Partnership has submitted plans for the Development to the City of Atlanta and such plans show a relocation of the Sewer Easement to a location that has been approved by the City of Atlanta; and

WHEREAS, the Partnership has requested that the City terminate its Sewer Easement upon the relocation of the existing line and has requested that the City pass a resolution setting forth its intention to so terminate the Sewer Easement.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES as follows:

SECTION 1: The Council of the City of Atlanta hereby expresses the intent of the City to terminate a City of Atlanta Sewer Easement recorded in Deed Book 4247, page 68, Fulton County, Georgia records, which Easement encumbers property located on Martin Luther King, Jr., Drive being developed as affordable rental housing to be known as Adamsville Place Senior Apartments, said termination to occur, and shall be executed by the Mayor of the City of Atlanta, upon the relocation of the existing sewer line.

SECTION 2: All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

A true copy,

Shanda Daphnia Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 03, 2003
MAR 11, 2003

RCS# 4528
3/03/03
5:09 PM

Atlanta City Council

Regular Session

03-R-0378 Terminate Sewer Easement for Adamsville
 Place Senior Apartments' Property
 ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

03-R -0378

(Do Not Write Above This Line)

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ADOPTED BY

MAR 03 2003

COUNCIL

Adopted 3/3/03 by 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

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
MAR 03 2003
CITY CLERK PRESIDENT

CERTIFIED
MAR 03 2003

Randy Doughton Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Handwritten signature and date MAR 11 2003

MAYOR