



**AN ORDINANCE**

**BY COUNCILMEMBER CLETA WINSLOW**

**AN ORDINANCE TO ABANDON THAT PORTION OF HUMPHRIES STREET, SW FROM GLENN STREET, SW TO THE SOUTHERN RAILROAD CROSSING APPROXIMATELY 8,353 SQUARE FEET; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has received a formal request from the Atlanta Development Authority the abutting property owner, to abandon a portion of a certain street for the purpose of using the property for their own private use; and

**WHEREAS**, the Atlanta Development Authority is proposing to use the abandoned street for open space and parking for the GE Residential Redevelopment Project; and

**WHEREAS**, the surrounding communities are in support of the proposed development project for the area and are in support of the proposed abandonment; and

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

**WHEREAS**, the request to abandon said streets will be reviewed by the proper City agencies and by all public utilities prior to passage of the legislation.

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

**Section 1:** That a portion of Humphries Street, S.W. from Glenn Street, SW to the Southern Railroad Crossing lying and being in Land Lot 86 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and the same is hereby declared no longer useful or necessary for the public's use and convenience.

**Section 2:** The City's intent is hereby given that said street shall be abandoned.



**Section 3:** That the Atlanta Development Authority has agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

**Section 4:** 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 5:** That the Director of the Bureau of Purchasing and Real Estate is hereby directed to have prepared an appraisal of the fair market value of the right-of-way to be abandoned and perform all other responsibilities concerning this proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

**Section 6:** That all costs associated with the appraisal of the subject property and all costs associated with the advertising of this petition for abandonment shall be charged to and paid from Account Number 1A01-524001-G55001.

**Section 7:** That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the petitioner in the amount of the appraised fair market value of the property, or the satisfaction of any alternative conditions under Section 2-1578 of the City's Code of ordinances, the City Attorney is hereby directed to prepare a Quit Claim Deed and other appropriate documents to effectuate the abandonment authorized by this ordinance.

**Section 8:** That the Mayor is hereby authorized to execute said Quit Claim Deed and other necessary documents, as determined by the City Attorney, for the abandoned street right-of-way to the Atlanta Development Authority.

**Section 9:** Upon execution, all documents shall be filed and recorded with the Clerk of Superior Court of Fulton County.

**Section 10:** That all code sections, ordinances, and parts of code sections and ordinances in conflict with this ordinance are waived.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

APR 21, 2003  
APR 28, 2003

RCS# 4616  
4/21/03  
2:23 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

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**4/21/03 FULL COUNCIL MEETING**

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**Items Adopted on the Consent Agenda**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 03-O-0186  | 36. 03-R-0451 | 72. 03-R-0498 |
| 2. 03-O-0350  | 37. 03-R-0571 | 73. 03-R-0499 |
| 3. 03-O-0401  | 38. 03-R-0549 | 74. 03-R-0500 |
| 4. 03-O-0442  | 39. 03-R-0555 | 75. 03-R-0501 |
| 5. 03-O-0438  | 40. 03-R-0556 | 76. 03-R-0502 |
| 6. 03-O-0445  | 41. 03-R-0558 | 77. 03-R-0503 |
| 7. 03-O-0446  | 42. 03-R-0559 | 78. 03-R-0504 |
| 8. 03-O-0443  | 43. 03-R-0560 | 79. 03-R-0505 |
| 9. 03-O-0450  | 44. 03-R-0561 | 80. 03-R-0506 |
| 10. 03-O-0485 | 45. 03-R-0562 |               |
| 11. 03-O-0399 | 46. 03-R-0563 |               |
| 12. 03-O-0369 | 47. 03-R-0564 |               |
| 13. 03-O-0416 | 48. 03-R-0572 |               |
| 14. 03-O-0193 | 49. 03-R-0588 |               |
| 15. 03-O-0355 | 50. 03-R-0589 |               |
| 16. 03-O-0359 | 51. 03-R-0590 |               |
| 17. 03-O-0360 | 52. 03-R-0448 |               |
| 18. 03-O-0436 | 53. 03-R-0454 |               |
| 19. 02-O-1543 | 54. 03-R-0528 |               |
| 20. 03-O-0432 | 55. 03-R-0529 |               |
| 21. 03-O-0433 | 56. 03-R-0569 |               |
| 22. 03-O-0434 | 57. 03-R-0570 |               |
| 23. 03-R-0444 | 58. 03-R-0591 |               |
| 24. 03-R-0530 | 59. 03-R-0592 |               |
| 25. 03-R-0531 | 60. 03-R-0217 |               |
| 26. 03-R-0532 | 61. 03-R-0539 |               |
| 27. 03-R-0533 | 62. 03-R-0541 |               |
| 28. 03-R-0534 | 63. 03-R-0542 |               |
| 29. 03-R-0535 | 64. 03-R-0566 |               |
| 30. 03-R-0536 | 65. 03-R-0593 |               |
| 31. 03-R-0537 | 66. 03-R-0544 |               |
| 32. 03-R-0538 | 67. 03-R-0545 |               |
| 33. 03-R-0546 | 68. 03-R-0565 |               |
| 34. 03-R-0577 | 69. 03-R-0496 |               |
| 35. 03-R-0390 | 70. 03-R-0497 |               |

**Items Adversed on  
the Consent Agenda**

81. 03-R-0507
82. 03-R-0508
83. 03-R-0509
84. 03-R-0510
85. 03-R-0511
86. 03-R-0512
87. 03-R-0513
88. 03-R-0514
89. 03-R-0515
90. 03-R-0516
91. 03-R-0517
92. 03-R-0518
93. 03-R-0519
94. 03-R-0520
95. 03-R-0521
96. 03-R-0522
97. 03-R-0523
98. 03-R-0524
99. 03-R-0525
100. 03-R-0526
101. 03-R-0527

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Consent I Vote: 15Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391

**LARGE ATTACHMENT:**

**DOCUMENT(S),**

**MANUAL(S)**

**OR**

**MAP(S)**

**NOT COPIED,**

**PULL ORIGINAL**

**FOR COPY OR TO VIEW**

**03-0-0442**

(Do Not Write Above This Line)

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BY COUNCILMEMBER CLETA WINSLOW

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SOUTHERN RAILROAD CROSSING  
APPROXIMATELY 8,353 SQUARE FEET,  
AND FOR OTHER PURPOSES.

**ADOPTED BY**  
**APR 2 1 2003**  
**COUNCIL**

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

Date Referred: 3/17/03  
Referred To: City Utilities  
Date Referred: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Date Referred: \_\_\_\_\_  
Referred To: \_\_\_\_\_

First Reading  
Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee City Utilities  
Date Apr 1 2003  
Chair [Signature]  
Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_  
Members  
[Signatures]  
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  
Readings  
 Consent  V Vote  AC Vote

CERTIFIED  
APR 2 1 2003  
ATLANTA CITY COUNCIL  
[Signature]

CERTIFIED  
APR 2 1 2003  
MAYOR'S ACTION  
[Signature]  
MAYOR'S ACTION

APR 28 2003  
[Signature]  
MAY