

RESOLUTION BY COUNCILMEMBER STARNES

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA, ON BEHALF OF THE GEORGIA INSTITUTE OF TECHNOLOGY, TO ALLOW THE BOARD OF REGENTS TO CONSTRUCT CERTAIN IMPROVEMENTS TO THE PUBLIC RIGHT-OF-WAY ALONG 5TH STREET, INCLUDING IMPROVEMENTS TO NEWLY ACQUIRED REAL PROPERTY ABUTTING 5TH STREET THAT WILL BE CONVEYED TO THE CITY AS ADDITIONAL RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

BACKGROUND:

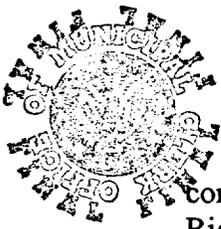
WHEREAS, GIT has plans to implement a significant right-of-way expansion and improvement project for 3 blocks of 5th Street (the "Existing Right-of-Way") on the GIT campus between the I-75/85 connector and Ferst Drive;

WHEREAS, these improvements are necessary to prepare for the realignment of campus activity and to address transportation and pedestrian demands that will result from the opening of the campus extension located on 5th Street on the east side of I-75/85 known as "Technology Square" in the summer of 2003;

WHEREAS, the project also involves the proposed acquisition by the CITY of certain strips of real property (the "New Right-of-Way")(the "Existing Right-of-Way and New Right-of-Way are referred to collectively as the "Expanded Right-of-Way") from landowners abutting the Existing Right-of-Way and the incorporation by GIT of those acquired strips into a widened public right-of-way; a list of the proposed addresses and approximate square footage of real property to be conveyed to the CITY is attached as Exhibit 1;

WHEREAS, GIT desires for the New Right-of-Way to be conveyed to the CITY as additional public right-of-way and for the significant right-of-way improvements on the New Right-of-Way, as well as the improvements to the Existing Right-of-Way, to inure to the benefit of the CITY;

WHEREAS, GIT has hired WRT Consultants to prepare design plans and Jordan Jones & Goulding as an engineering firm for the public right-of-way improvement project contemplated for the Expanded Right-of-Way on 5th Street;



WHEREAS, the CITY desires to provide to GIT and its contractors/subcontractors adequate access through 5th Street to effect the Expanded Right-of-Way improvements;

WHEREAS, the CITY's Department of Public Works has reviewed and approved the proposed plans for the improvements to the Expanded Right-of-Way;

WHEREAS, the CITY has also determined that it is desirable and in its best interests to allow GIT to construct the improvements to the Expanded Right-of-Way, as well as to take a conveyance in fee simple from the abutting landowners of the New Right-of-Way;

WHEREAS, the parties now desire to enter an Intergovernmental Agreement to outline the terms of this transaction between the CITY and GIT;

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

1. That the CITY is authorized to accept by Limited Warranty Deed(s) the conveyance to it from landowners abutting the Existing Right-of-Way of the real property to constitute the New Right-of-Way, such New Right-of-Way to be carved out of the real property addresses and to comprise the approximate square footages set forth on Exhibit 1 attached to this Resolution; and
2. That GIT will provide to the CITY a policy or policies of Title Insurance insuring, to the satisfaction of the CITY, title to the parcels of real property that will comprise the New Right-of-Way; and
3. That the Mayor is authorized to enter into an Intergovernmental Agreement with The Board Of Regents of the University System of Georgia, on behalf of The Georgia Institute Of Technology, for the construction and installation of improvements to the Expanded Right-of-Way, in a form and pursuant to conditions determined by the Commissioner of the CITY's Department of Public Works and the City Attorney to be desirable, appropriate and in the best interests of the CITY for this transaction, including terms concerning bonding and insurance.
4. That the City Attorney is directed to prepare the Intergovernmental Agreement for execution by the parties to this transaction.
5. That the Intergovernmental Agreement will not become binding upon the CITY and the CITY will incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk and delivered to GIT.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

APR 21, 2003
APR 28, 2003

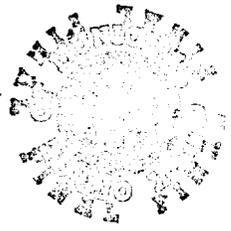
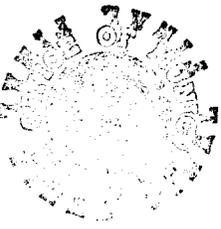
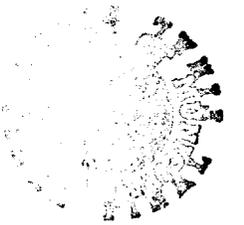


Exhibit 1



5th Street Corridor Estimated Property Encroachment

Address	Organization	Estimated SF	
			Encroachment
825 Techwood Drive	Phi Sigma Kappa	83	
159 5th Street	Tau Kappa Epsilon	300	
	Georgia Tech		
166 5th Street	Foundation, Inc.	542	
171 5th Street	Betty & Larry Willis	119	
177 5th Street	Alpha Gamma Delta	133	
189 5th Street	Zeta Tau Alpha	307	
154 5th Street	Delta Upsilon	1,170	
170 5th Street	Delta Chi	533	
176 5th Street	Board of Regents	523	
182 5th Street	Lutheran Center	412	
260 5th Street	Pi Kappa Alpha	819	
190 5th Street	Sigma Phi Epsilon	803	
	Total	5,745	
BoR land leased to Greeks			
	BoR leased to Phi		
800 Fowler Street	Kappa Theta	1,217	
	BoR Land leased to		
220 5th Street	Pi Kappa Phi	986	
	BoR Land leased to		
230 5th Street	Phi Mu	900	
		3,103	



5th Street Corridor Estimated Property Encroachment

Total of Owned and Leased land

8,848

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

4/21/03 FULL COUNCIL MEETING

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

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

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

03-R-0444

(Do Not Write Above This Line)

A RESOLUTION BY COUNCIL MEMBER DEBI STARNES

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA, ON BEHALF OF THE GEORGIA INSTITUTE OF TECHNOLOGY, TO ALLOW THE BOARD OF REGENTS TO CONSTRUCT CERTAIN IMPROVEMENTS TO THE PUBLIC RIGHT-OF-WAY ALONG 5TH STREET, INCLUDING IMPROVEMENTS TO NEWLY ACQUIRED REAL PROPERTY ABUTTING 5TH STREET THAT WILL BE CONVEYED TO THE CITY AS ADDITIONAL RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

ADOPTED BY

APR 21 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

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

CERTIFIED

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

CERTIFIED

APR 21 2003

COUNCIL PRESIDENT PROTTEM

CERTIFIED

APR 21 2003

MAYOR'S ACTION

MAYOR'S ACTION

APR 28 2003