

04-0-0440

(Do Not Write Above This Line)

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO SELL AND/OR GRANT AN OPTION TO PURCHASE CERTAIN CITY-OWNED PROPERTY TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA (THE AUTHORITY UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN, SAID PROPERTY BEING GENERALLY IDENTIFIED AS THE ROCKDALE URBAN REDEVELOPMENT AREA (THE ROCKDALE PROPERTY) FOR THE PURPOSE OF ASSISTING AND FACILITATING THE AUTHORITY'S REDEVELOPMENT OF THESE AREAS IN ACCORDANCE WITH THE WEST HIGHLANDS AT PERRY BOULEVARD MASTERPLAN AND THE REVITALIZATION OF THESE AREAS IN ACCORDANCE WITH THE CITY'S NORTHWEST ATLANTA REDEVELOPMENT PLAN

(SEE FULL CAPTION ON REVERSE SIDE)

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

Date Referred: 03/01/04
 Referred To: Finance Executive
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee: **Finance Executive**
 Date: 3/10/04
 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: _____
 ADOPTED BY: MAR 15 2004
COUNCIL
 Refer To: _____

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: _____

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

CERTIFIED

MAR 15 2004

CERTIFIED
 MAR 15 2004
[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

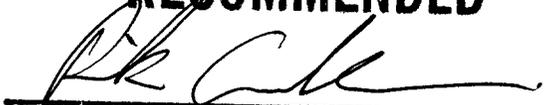
MAR 9 2004
[Signature]
 MAYOR

3/5/04 Councilman Mitchell Abstained

**AN ORDINANCE
BY COUNCILMEMBER FELICIA MOORE**

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO SELL AND/OR GRANT AN OPTION TO PURCHASE CERTAIN CITY-OWNED PROPERTY TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA (THE AUTHORITY) UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN, SAID PROPERTY BEING GENERALLY IDENTRIED AS THE ROCKDALE URBAN REDEVELOPMENT AREA (THE ROCKDALE PROPERTY) FOR THE PURPOSE OF ASSISTING AND FACILITATING THE AUTHORITY'S REDEVELOPMENT OF THESE AREAS IN ACCORDANCE WITH THE WEST HIGHLANDS AT PERRY BOULEVARD MASTERPLAN AND THE REVITALIZATION OF THESE AREAS IN ACCORDANCE WITH THE CITY'S NORTHWEST ATLANTA REDEVELOPMENT PLAN AND THE PERRY/BOLTON TAX ALLOCATION DISTRICT; TO NEGOTIATE THE TERMS OF THE ROCKDALE PROPERTY PURCHASE AND SALE AGREEMENT CONSISTENT WITH THIS ORDINANCE; TO NEGOTIATE THE TERMS OF THE OPTION AGREEMENT CONSISTENT WITH THIS ORDINANCE; TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND TO CONVEY SAID PROPERTY PURSUANT TO THE TERMS OF SAID AGREEMENT WITHOUT FURTHER REVIEW AND APPROVAL OF THE ATLANTA CITY COUNCIL; TO EXECUTE THE OPTION AGREEMENT AND TO CONVEY SAID PROPERTY PURSUANT TO THE TERMS OF SAID AGREEMENT WITHOUT FURTHER REVIEW AND APPROVAL OF THE ATLANTA CITY COUNCIL; TO EXECUTE AND DELIVER ALL DOCUMENTS NECESSARY OR ADVISABLE IN ORDER TO CARRY INTO EFFECT THE INTENT OF THIS ORDINANCE; TO RESCIND CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

RECOMMENDED



CHIEF FINANCIAL OFFICER

DEPARTMENTAL AUTHORIZATION

AN ORDINANCE

BY COUNCILMEMBER FELICIA MOORE



AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO SELL AND/OR GRANT AN OPTION TO PURCHASE CERTAIN CITY-OWNED PROPERTY TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA (THE AUTHORITY) UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN, SAID PROPERTY BEING GENERALLY IDENTIFIED AS THE ROCKDALE URBAN REDEVELOPMENT AREA (THE ROCKDALE PROPERTY) FOR THE PURPOSE OF ASSISTING AND FACILITATING THE AUTHORITY'S REDEVELOPMENT OF THESE AREAS IN ACCORDANCE WITH THE WEST HIGHLANDS AT PERRY BOULEVARD MASTERPLAN AND THE REVITALIZATION OF THESE AREAS IN ACCORDANCE WITH THE CITY'S NORTHWEST ATLANTA REDEVELOPMENT PLAN AND THE PERRY/BOLTON TAX ALLOCATION DISTRICT; TO NEGOTIATE THE TERMS OF THE ROCKDALE PROPERTY PURCHASE AND SALE AGREEMENT CONSISTENT WITH THIS ORDINANCE; TO NEGOTIATE THE TERMS OF THE OPTION AGREEMENT CONSISTENT WITH THIS ORDINANCE; TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND TO CONVEY SAID PROPERTY PURSUANT TO THE TERMS OF SAID AGREEMENT WITHOUT FURTHER REVIEW AND APPROVAL OF THE ATLANTA CITY COUNCIL; TO EXECUTE THE OPTION AGREEMENT AND TO CONVEY SAID PROPERTY PURSUANT TO THE TERMS OF SAID AGREEMENT WITHOUT FURTHER REVIEW AND APPROVAL OF THE ATLANTA CITY COUNCIL; TO EXECUTE AND DELIVER ALL DOCUMENTS NECESSARY OR ADVISABLE IN ORDER TO CARRY INTO EFFECT THE INTENT OF THIS ORDINANCE; TO RESCIND CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, The Housing Authority of the City of Atlanta, Georgia (the "Authority") (together with its development partner, Perry Homes Redevelopment, LLC, a Georgia limited liability company whose sole members are Columbia Residential, LLC, BrockBuilt, LLC, and Perry Golf Course Development, LLC) is engaged in the revitalization of the Perry Homes public housing community ("Perry Homes") resulting in a new master planned, mixed-use, mixed-income community to be known as West Highlands at Perry Boulevard as contemplated in the approved Northwest Atlanta Redevelopment Plan and Perry/Bolton Tax Allocation District; and

WHEREAS, the revitalization includes the demolition of 1,072 distressed units and related facilities (which has been completed) and the revitalization of Perry Homes into a new master planned mixed-use, mixed-income community containing approximately 570 mixed-income rental apartments and no less than 100 for sale homes

which will include 40 homes reserved for sale to families who graduate from the Authority's public housing program or other affordable housing programs, with first priority to families who formerly lived at Perry Homes and who otherwise qualify for homeownership; and

WHEREAS, the financial closing for the construction of Phase I occurred in October 2002, and 124 rental apartments, with 50 apartments reserved for public housing-eligible families and another 12 apartments reserved for low-income families, are under construction; and

WHEREAS, the financial closing for the construction of Phase IIA occurred in November 2003 and will result in the construction of a dedicated senior rental housing development, containing 130 apartments with 100 apartments reserved for Housing Choice Voucher ("Project Based Section 8") program participants; and

WHEREAS, the financial closing for the construction of Phase IIB occurred in November 2003, and will result in the construction of 152 rental apartments with 61 apartments reserved for public housing-eligible families and another 19 apartments reserved for low-income families; and

WHEREAS, the revitalization will include an array of social and economic development projects including retail, daycare, YMCA, counseling, educational training and recreational activities; and

WHEREAS, the revitalization of this community is of enormous importance to the future economic health of Northwest Atlanta and essential to implementation of the approved Northwest Atlanta Redevelopment Plan as well as the approved Perry/Bolton Tax Allocation District, and the well-being of its residents; and

WHEREAS, the City of Atlanta owns property generally known as the Rockdale Urban Redevelopment Area, as more specifically identified on the attached exhibit (the "Rockdale Property"), consisting of approximately 84.42 acres; and

WHEREAS, some areas of the Rockdale Property may not be suitable or useable for residential purposes and accordingly some or all of said areas, at the option of the Authority, may not be transferred to the Authority; and

WHEREAS, the Authority contemplates working in partnership with Atlantans Building Leadership for Empowerment (ABLE) for the proposed development of affordable for sale homes on approximately 20% of the single family homesites resulting from the Authority's acquisition of the City's Rockdale Property; and

WHEREAS, the Authority wishes to purchase the Rockdale Urban Property, or portions thereof, for the purpose of causing the redevelopment thereof as contemplated by the approved Perry/Bolton Tax Allocation District and West Highlands at Perry Boulevard masterplan, including the development and construction of new mixed-use, mixed-income residential dwellings, retail, green space, walking trails, parks, recreation fields, public golf course, education facilities and other social economic development projects; and

WHEREAS, O.C.G.A. § 8-3-153(a)(1) vests the City of Atlanta with the power to dedicate, sell, convey, or lease any of its property to a housing authority, with or without consideration.

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

SECTION ONE: The Mayor or her designee is authorized to sell and/or grant an option to purchase all or portions of certain City-owned property to The Housing Authority of the City of Atlanta, Georgia (the Authority), said property being generally identified as the Rockdale Urban Redevelopment Area and more specifically identified on the attached exhibit (the Rockdale Property), consisting of approximately 84.42 acres for the purpose of including the Rockdale Property as part of the implementation of the West Highlands at Perry Boulevard masterplan and better integration of the now vacant property into the economic and social fabric of the surrounding neighborhoods according to the City's approved Northwest Atlanta Redevelopment Plan.

SECTION TWO: The Mayor or her designee is authorized to negotiate the terms of the Purchase and Sale Agreement, Option Agreement and/or Intergovernmental Agreement ("Agreement(s)") for the Rockdale Property on terms generally consistent with the terms outlined in this Ordinance.

SECTION THREE: The Mayor is authorized to execute said Agreement(s) and to convey all or portions of the Rockdale Property to the Authority pursuant to the terms of said Agreement(s) without the further review and approval of the Atlanta City Council.

SECTION FOUR: The terms of the transfer of the Rockdale Property shall include the following:

The Authority may purchase all or portions of the Rockdale Property for \$30,065/acre. This price was determined by fair-market value appraisals of the approximately 84.42 acre tract and comparable property. It is understood by all parties that detailed environmental and engineering analysis of the Rockdale Property has not yet occurred. Accordingly, the Authority shall not be required to option or purchase those portions of the Rockdale Property that are not useable or suitable, in the opinion of the engineers

retained by Perry Homes Redevelopment, LLC to conduct the appropriate analysis, for single family residential development purposes based upon environmental conditions, or, location within the City of Atlanta's 75 foot stream buffer that is not a part of land to be used for park purposes. Any option to purchase all or portions of the property on the above terms shall be granted for a period not to exceed 10 years from the execution of the Agreement.

SECTION FIVE: The Mayor is authorized to execute and deliver, or cause to be executed or delivered, such agreements, notices, requests, releases, deeds, demands, directions, consents, approvals, orders, waivers, acceptances, appointments, applications, certificates, affidavits, undertakings, supplements, amendments, further assurances or other agreements, instruments or communications, in the name of and on behalf of the City of Atlanta or otherwise, as she may deem to be necessary or advisable in order to carry into effect the intent of the foregoing ordinance.

SECTION SIX: All other ordinances or parts of ordinances in conflict herewith are hereby waived for this instance only.

A true copy,

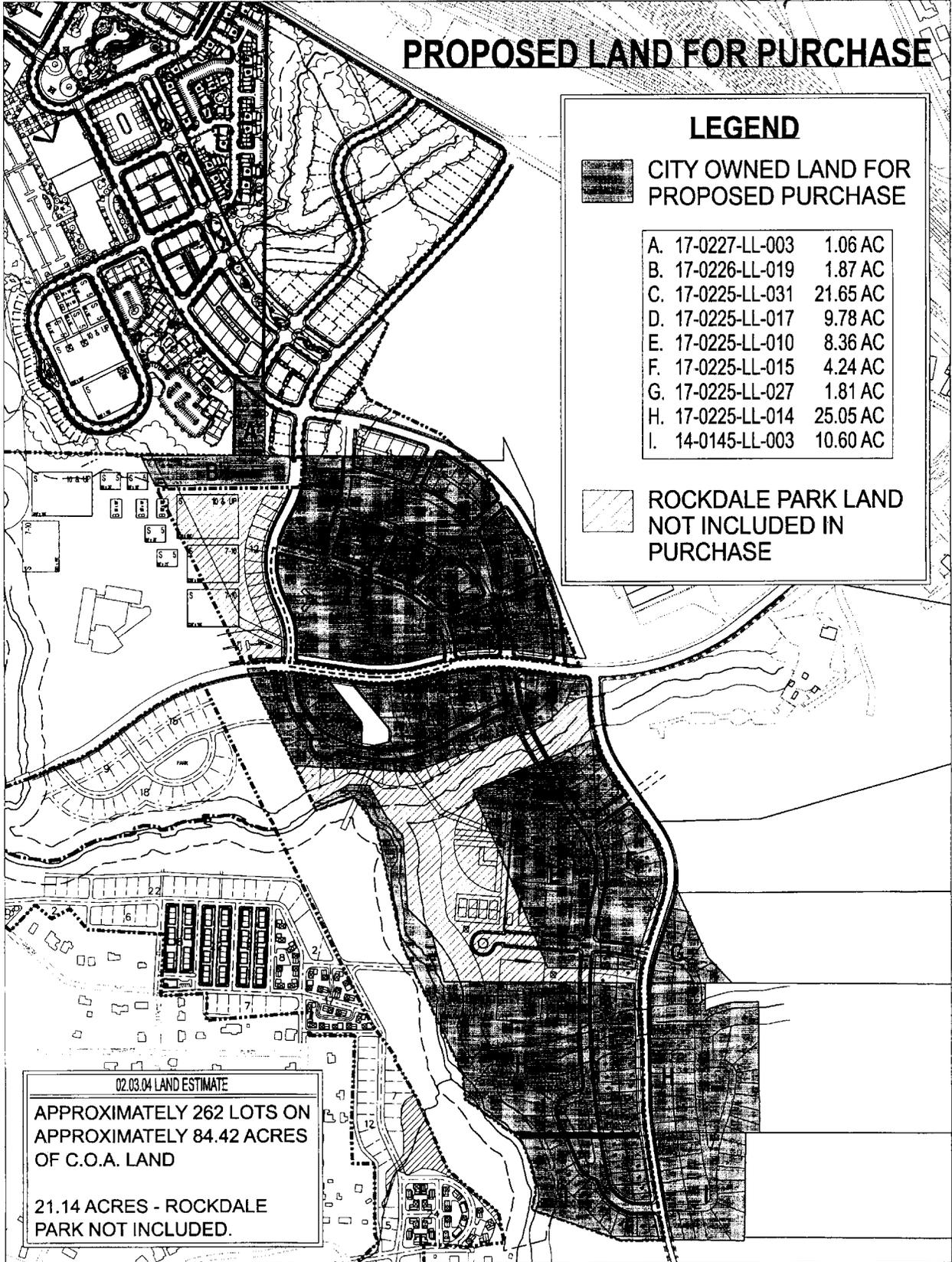
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

March 15, 2004
March 23, 2004

Rockdale Property

PROPOSED LAND FOR PURCHASE



LEGEND



CITY OWNED LAND FOR PROPOSED PURCHASE

A.	17-0227-LL-003	1.06 AC
B.	17-0226-LL-019	1.87 AC
C.	17-0225-LL-031	21.65 AC
D.	17-0225-LL-017	9.78 AC
E.	17-0225-LL-010	8.36 AC
F.	17-0225-LL-015	4.24 AC
G.	17-0225-LL-027	1.81 AC
H.	17-0225-LL-014	25.05 AC
I.	14-0145-LL-003	10.60 AC



ROCKDALE PARK LAND NOT INCLUDED IN PURCHASE

02.03.04 LAND ESTIMATE

APPROXIMATELY 262 LOTS ON APPROXIMATELY 84.42 ACRES OF C.O.A. LAND

21.14 ACRES - ROCKDALE PARK NOT INCLUDED.

RCS# 5531
3/15/04
2:13 PM

Atlanta City Council

Regular Session

CONSENT I 0379 0380 0381 0382 0383 0384

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

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

CONSENT I

RCS# 5532
3/15/04
2:14 PM

Atlanta City Council

Regular Session

CONSENT I

04-O-0440 AND 04-O-0441

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

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

CONSENT I

retained by Perry Homes Redevelopment, LLC to conduct the appropriate analysis, for single family residential development purposes based upon environmental conditions, or, location within the City of Atlanta's 75 foot stream buffer that is not a part of land to be used for park purposes. Any option to purchase all or portions of the property on the above terms shall be granted for a period not to exceed 10 years from the execution of the Agreement.

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