



**CITY COUNCIL
ATLANTA, GEORGIA**

04-0-1937

AN ORDINANCE

**BY: COUNCILMEMBER HOWARD SHOOK AND CAESAR MITCHELL
AS SUBSTITUTED BY COMMUNITY DEVELOPMENT AND HUMAN
RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER
DESIGNEE, ON BEHALF OF THE CITY, TO NEGOTIATE FOR
AND PURCHASE PROPERTY OF APPROXIMATELY 2.7 ACRES
IN THE CITY OF ATLANTA KNOWN AS THE CAPITAL CITY
CLUB PROPERTY FROM THE CAPITAL CITY CLUB, FOR AN
AMOUNT NOT TO EXCEED \$432,800, TO BE CHARGED TO
AND PAID FROM TRUST FUND-SERVICE GRANTS-
NORTHBUCKHEAD/BROOKHAVEN GREENSPACE ACCOUNT
3P02 529002 N12D1127QNA0 AND GENERAL GOVERNMENT
CAPITAL OUTLOOK FUND-LAND-NORTH
BUCKHEAD/BROKHAVEN PARKS AND OPEN SPACE
ACCOUNT 1C28 771001 Y63D10119991; AND FOR OTHER
PURPOSES.**

WHEREAS, the Capital City Club property is approximately 2.7 acres of undeveloped, forested land located in the Brookhaven neighborhood of the City of Atlanta (the "City"), and is bounded on three sides by West Club Lane, Davidson Avenue and East Club Lane, is located in Land Lot 12 of the 17th District, and is more particularly described in Exhibit A attached hereto (the "Property"); and

WHEREAS, the City wishes to keep the Property in its undeveloped, forested state, to add the Property to the City's greenspace inventory; an

WHEREAS, the preservation of the Property from development is consistent with the City's goal of acquisition and preservation of additional greenspace; and

WHEREAS, the Capital City Club, the present owner of the Property (the "Owner"), has agreed to sell the Property to the City at a price significantly below the Property's appraised value of \$600,000, and

WHEREAS, Ordinance 01-0-1697, adopted by the City Council and approved by the Mayor in November 2001 and attached hereto as Exhibit B, anticipated and appropriated \$300,000 to be utilized for the purchase of greenspace in the North Buckhead / Brookhaven area, and said funds are located in fund, account 1C28-771001-Y63D10119991; and



SECTION 6: Upon acquisition, the Department of Parks, Recreation and Cultural Affairs is hereby charged with all responsibility for the Property and shall retain the land in perpetuity as undeveloped, passive greenspace; and that the deed for the Property shall provide that such Property shall remain permanently preserved as undeveloped passive greenspace.

SECTION 7: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 8: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance, said documents to be approved as to form by the City Attorney.

SECTION 9: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor.

SECTION 10: All ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of the Ordinance only, and only to the extent of the conflict.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 01, 2004
NOV 05, 2004

RCS# 6199
11/01/04
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I

		11-01-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1626	38. 04-R-1878	48. 04-R-1162
2. 04-O-1795	39. 04-R-1940	49. 04-R-1172
3. 04-O-1796	40. 04-R-1908	50. 04-R-1178
4. 04-O-1828	41. 04-R-1909	51. 04-R-1782
5. 04-O-1819	42. 04-R-1910	52. 04-R-1900
6. 04-O-1929	43. 04-R-1911	53. 04-R-1901
7. 04-O-1758	44. 04-R-1912	54. 04-R-1902
8. 04-O-1932	45. 04-R-1913	55. 04-R-1903
9. 04-O-1430	46. 04-R-1914	56. 04-R-1904
10. 04-O-1926	47. 04-R-1915	57. 04-R-1905
11. 04-O-1885		58. 04-R-1906
12. 04-O-1937		59. 04-R-1907
13. 04-O-1941		
14. 04-R-1893		
15. 04-R-1894		
16. 04-R-1895		
17. 04-R-1916		
18. 04-R-1917		
19. 04-R-1918		
20. 04-R-1920		
21. 04-R-1896		
22. 04-R-1897		
23. 04-R-1898		
24. 04-R-1899		
25. 04-R-1930		
26. 04-R-1884		
27. 04-R-1886		
28. 04-R-1888		
29. 04-R-1889		
30. 04-R-1890		
31. 04-R-1891		
32. 04-R-1928		
33. 04-R-1938		
34. 04-R-1870		
35. 04-R-1871		
36. 04-R-1874		
37. 04-R-1945		

04-0-1937
 (Do Not Write Above This Line)

AN ORDINANCE BY
 COUNCILMEMBER HOWARD SHOOK

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY, TO NEGOTIATE FOR AND PURCHASE PROPERTY OF APPROXIMATELY 2.7 ACRES IN THE CITY OF ATLANTA KNOWN AS THE CAPITAL CITY CLUB PROPERTY FROM THE CAPITAL CITY CLUB, FOR AN AMOUNT NOT TO EXCEED \$432,800, TO BE CHARGED TO AND PAID FROM FUND ACCOUNT 3P02 529002 N12D1127QNA0 AND 1C28 771001 Y63D10119991; AND FOR OTHER PURPOSES.

ADOPTED BY
 NOV 0 1 2004

SUBSTITUTE
COUNCIL

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

Date Referred 10/18/04

Referred To: OT/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee OT/HR
 Date 10/18/04
 Chair [Signature]
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To [Signature]

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 Voice RC Vote

CERTIFIED

CERTIFIED
 NOV 0 1 2004
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 NOV 0 1 2004
[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 NOV 0 5 2004
[Signature]

MAYOR