

CITY COUNCIL
ATLANTA, GEORGIA

Municipal Clerk
Atlanta, Georgia

04-0-1941

AN ORDINANCE BY

Clata H. H. H. H.

AN ORDINANCE TO CORRECT ORDINANCE #03-O-0600 BY AMENDING THE LEGAL DESCRIPTION FOR THE "HARRIS HOMES REVITALIZATION, PHASES I & II, HOUSING ENTERPRISE ZONE" (UEZ-03-04) TO REFLECT TWO SEPARATE LEGAL DESCRIPTIONS FOR PHASE I (MULTIFAMILY HOUSING) AND PHASE II (SENIOR HOUSING); AND FOR OTHER PURPOSES.

WHEREAS Ordinance #03-O-0600, which was adopted by the Council on May 19, 2003 and approved by the Mayor on May 27, 2003, created the "Harris Homes Revitalization, Phases I & II, Housing Enterprise Zone" (UEZ-03-04) for the subject property at 920 Joseph E. Lowery Boulevard, SW (f.k.a. Ashby Street, SW), a.k.a. 920 Sells Avenue, SW); and

WHEREAS said ordinance includes a legal description and associated map for the subject property comprising the Harris Homes Revitalization, Phases I & II, Housing Enterprise Zone, which represents Exhibit "A"; and

WHEREAS construction has begun on Phase I for multifamily housing for families, but has not yet begun for Phase II for the senior housing component; and

WHEREAS, according to Fulton County's policies regarding urban enterprise zone creation, only properties on which construction activity has not yet begun may be eligible for consideration for the creation of an urban enterprise zone and subsequent tax abatements; and

WHEREAS, since only the senior housing component comprising Phase II of the proposed development project is eligible for Fulton County's consideration for the creation of an urban enterprise zone and subsequent tax abatements, the Fulton County Board of Commissioners wishes to consider the creation of an urban enterprise zone for Phase II only of the proposed residential development project (now known as "College Town") at its November 17, 2004 meeting; and

WHEREAS, in order to allow Fulton County to create an urban enterprise zone for Phase II only of the proposed project, and to facilitate the subsequent tax abatements for Phase II only by Fulton County, the subject property has been officially replatted into two separate legal parcels, to which Fulton County will assign two separate tax parcel code numbers (PCNs) as part of its replatting recording process; and

WHEREAS the two new parcels of land representing Phase I and Phase II are described by two separate legal descriptions as a result of the replatting process;



**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS AS FOLLOWS:**

Section 1: Ordinance #03-O-0600 is hereby amended by deleting its legal description and associated map, which represent Exhibit "A", and substituting in lieu thereof two new legal descriptions and associated maps to separately represent Phase I and Phase II of the proposed development project, which are attached hereto, respectively, as a new Exhibit "A" and Exhibit "B", for the purpose of identifying the boundaries of each new parcel which now comprise the City's approved Harris Homes Revitalization, Phases I & II.

Section 2: All ordinances and parts of ordinances that are in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 01, 2004
NOV 05, 2004

LEGAL DESCRIPTION FOR PHASE 1 (EXCLUDING FUTURE STREETS)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 117 OF THE 14TH DISTRICT OF FULTON COUNTY (CITY OF ATLANTA), GEORGIA, AS SHOWN ON THE ALTA/ACSM LAND TITLE SURVEY FOR HARRIS REDEVELOPMENT PARTNERSHIP I, L.P., ET AL, PREPARED BY SEILER & ASSOCIATES, INC., LAST REVISED OCTOBER 10, 2003, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CUNNINGHAM PLACE (40 FOOT TOTAL RIGHT OF WAY WIDTH) AND THE EAST RIGHT OF WAY LINE OF PEEPLES STREET (50 FOOT TOTAL RIGHT OF WAY WIDTH) SAID POINT BEING NORTH 51 DEGREES 29 MINUTES 00 SECONDS EAST, 31.96 FEET FROM A NAIL AND SURVEYOR'S DISK SET AT THE CENTERLINE INTERSECTION OF CUNNINGHAM PLACE AND PEEPLES STREET;

THENCE, ALONG SAID NORTH RIGHT OF WAY OF CUNNINGHAM PLACE, SOUTH 89 DEGREES 46 MINUTES 23 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A SCRIBE MARK SET IN CONCRETE AND THE POINT OF BEGINNING;

THENCE, LEAVING SAID NORTH LINE OF CUNNINGHAM PLACE, NORTH 00 DEGREES 00 MINUTES 44 SECONDS EAST, A DISTANCE OF 409.72 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE SOUTH LINE OF FUTURE STREET 1 (A PROPOSED 50 FOOT TOTAL RIGHT OF WAY WIDTH, AS SHOWN ON THE ABOVE REFERENCED SURVEY);

THENCE, CROSSING SAID FUTURE STREET 1, CONTINUE NORTH 00 DEGREES 00 MINUTES 44 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE NORTH LINE OF FUTURE STREET 1;

THENCE NORTH 00 DEGREES 00 MINUTES 44 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET;

THENCE NORTH 89 DEGREES 59 MINUTES 16 SECONDS WEST, A DISTANCE OF 90.00 FEET TO A SCRIBE MARK ON A WALL SET ON SAID EAST RIGHT OF WAY LINE OF PEEPLES STREET;

THENCE, ALONG SAID EAST RIGHT OF WAY LINE OF PEEPLES STREET, NORTH 00 DEGREES 00 MINUTES 44 SECONDS EAST, A DISTANCE OF 171.09 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET AT THE INTERSECTION OF SAID EAST RIGHT OF WAY LINE OF PEEPLES STREET AND THE SOUTH RIGHT OF WAY LINE OF SELLS AVENUE (60 FOOT TOTAL RIGHT OF WAY WIDTH);

THENCE, ALONG SAID SOUTH RIGHT OF WAY LINE OF SELLS AVENUE, NORTH 88 DEGREES 16 MINUTES 02 SECONDS EAST, A DISTANCE OF 322.75 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE WEST LINE OF FUTURE STREET 2 (A PROPOSED 60 FOOT TOTAL RIGHT OF WAY WIDTH, AS SHOWN ON THE ABOVE REFERENCED SURVEY);

THENCE, CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE OF SELLS AVENUE, NORTH 88 DEGREES 16 MINUTES 02 SECONDS EAST, A DISTANCE OF 60.03 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE EAST LINE OF FUTURE STREET 2;

(Continued)



DATE	NO.	DESCRIPTION	DATE	BY	APPR.
OCTOBER 7, 2004					
SCALE: HORIZ.	VERT.				
LAND LOT(S) 117					
PRECEDENT 14TH					

SEILER & ASSOCIATES, INC
PROFESSIONAL SURVEYORS

THENCE, CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE OF SELLS AVENUE, NORTH 88 DEGREES 16 MINUTES 02 SECONDS EAST, A DISTANCE OF 467.10 FEET TO A SCRIBE MARK IN CONCRETE ON THE WEST RIGHT OF WAY LINE OF JOSEPH E. LOWERY BOULEVARD (50 FOOT TOTAL RIGHT OF WAY WIDTH);

THENCE, ALONG SAID WEST RIGHT OF WAY LINE OF JOSEPH E. LOWERY BOULEVARD, SOUTH 00 DEGREES 17 MINUTES 01 SECONDS EAST, A DISTANCE OF 255.39 FEET;

THENCE, CONTINUING ALONG SAID WEST RIGHT OF WAY LINE OF JOSEPH E. LOWERY BOULEVARD, ALONG THE ARC OF A CURVE TO THE RIGHT 29.66 FEET (SAID ARC HAVING A RADIUS OF 975.00 FEET AND A CHORD OF SOUTH 00 DEGREES 35 MINUTES 17 SECONDS WEST, 29.66 FEET) TO A P.K. NAIL & SEILER BRASS DISK;

THENCE LEAVING SAID WEST RIGHT OF WAY LINE OF JOSEPH E. LOWERY BOULEVARD, NORTH 89 DEGREES 42 MINUTES 26 SECONDS WEST, A DISTANCE OF 102.93 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET;

THENCE NORTH 01 DEGREES 43 MINUTES 58 SECONDS WEST, A DISTANCE OF 77.53 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET;

THENCE SOUTH 88 DEGREES 16 MINUTES 02 SECONDS WEST, A DISTANCE OF 221.58 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET;

THENCE SOUTH 01 DEGREES 43 MINUTES 58 SECONDS EAST, A DISTANCE OF 146.26 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET;

THENCE NORTH 89 DEGREES 28 MINUTES 01 SECONDS WEST, A DISTANCE OF 145.61 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE EAST RIGHT OF WAY LINE OF SAID FUTURE STREET 2;

THENCE, ALONG SAID EAST RIGHT OF WAY LINE, SOUTH 00 DEGREES 00 MINUTES 44 SECONDS WEST, A DISTANCE OF 389.13 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON SAID NORTH RIGHT OF WAY LINE OF CUNNINGHAM PLACE;

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE OF CUNNINGHAM PLACE, NORTH 89 DEGREES 46 MINUTES 23 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET ON THE WEST LINE OF FUTURE STREET 2;

THENCE, ALONG SAID NORTH RIGHT OF WAY LINE OF CUNNINGHAM PLACE, NORTH 89 DEGREES 46 MINUTES 23 SECONDS WEST, A DISTANCE OF 232.60 FEET TO THE POINT OF BEGINNING.

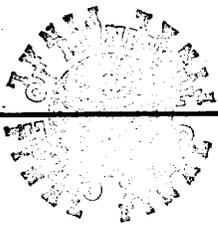
LESS AND EXCEPT THE 1.2760 ACRES OF SAID FUTURE STREETS 1 AND 2 AS SHOWN ON THE ABOVE REFERENCED SURVEY.

SAID TRACT OR PARCEL OF LAND CONTAINS 6.8238 ACRES (297,246 SQUARE FEET).



DATE	SCALE	VERT.	NO.	DESCRIPTION	DATE	BY	APPR.
OCTOBER 7, 2004	HORIZ.						

SEILER & ASSOCIATES, INC
PROFESSIONAL SURVEYORS



(PHASE I MULTIFAMILY HOUSING)

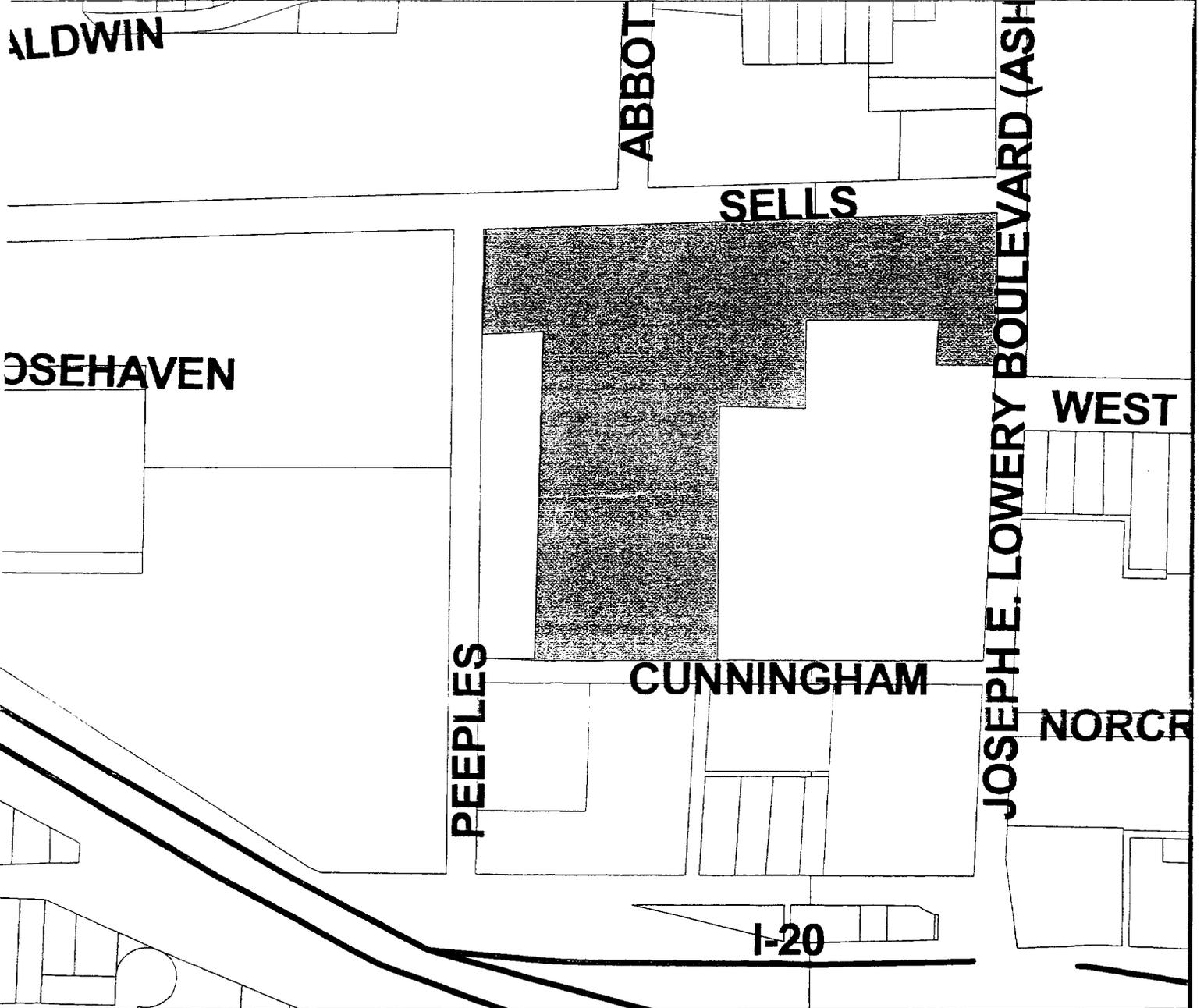
HARRIS HOMES REVITALIZATION, PHASE I & II
HOUSING ENTERPRISE ZONE

920 JOSEPH E. LOWERY BOULEVARD, S.W.

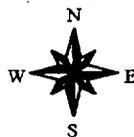
(f.k.a. ASHBY STREET, S. W.

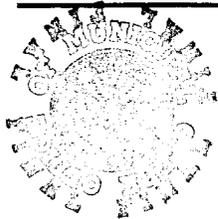
a.k.a. 920 SELLS AVENUE, S.W.)

COUNCIL DISTRICT 4, NPU "T"



UEZ - 03 - 04





(PHASE II SENIOR HOUSING)

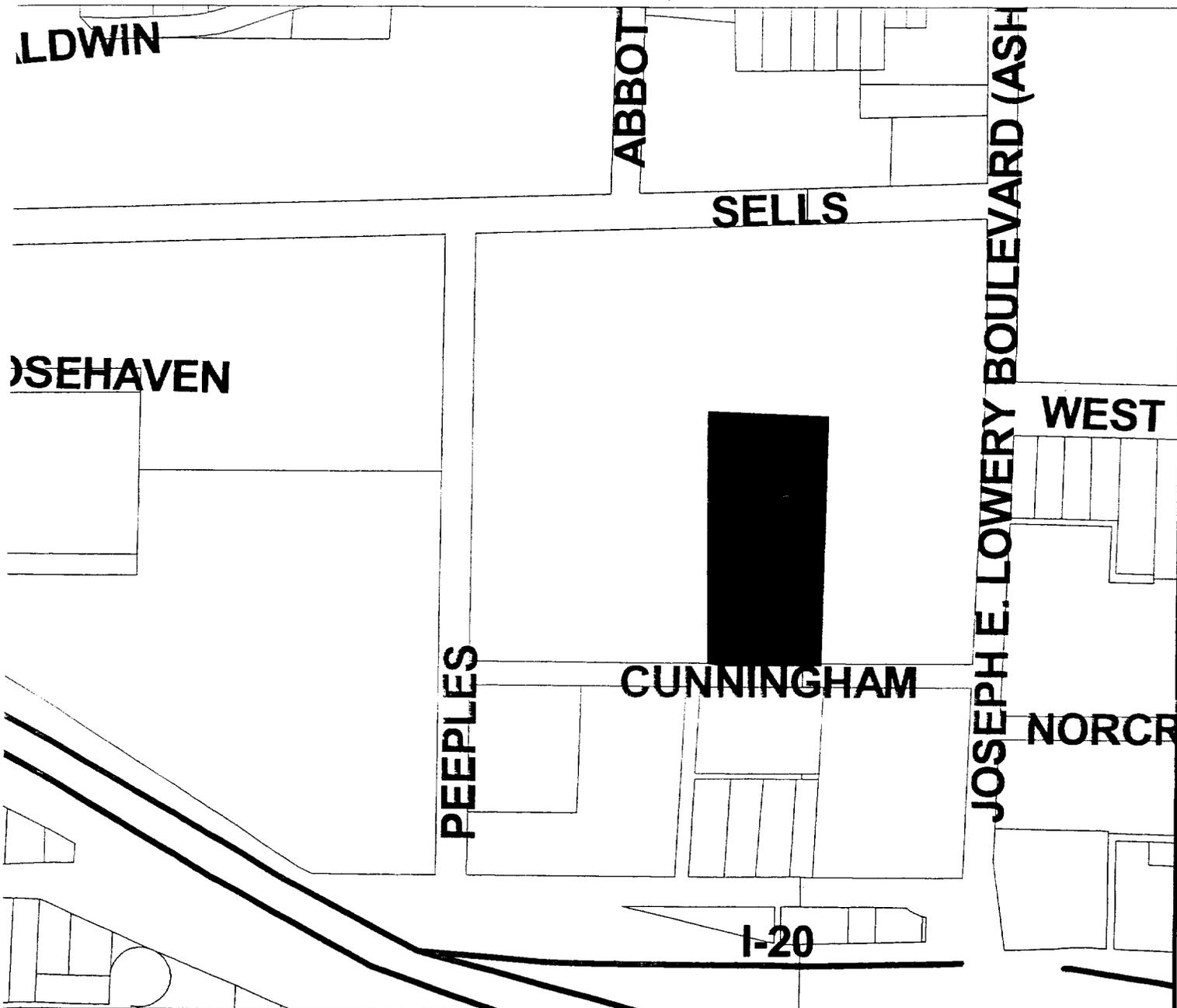
HARRIS HOMES REVITALIZATION, PHASE I & II
HOUSING ENTERPRISE ZONE

920 JOSEPH E. LOWERY BOULEVARD, S.W.

(f.k.a. ASHBY STREET, S.W.)

a.k.a. 920 SELLS AVENUE, S.W.)

COUNCIL DISTRICT 4, NPU "T"



UEZ - 03 - 04



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		

418

04-0-1941

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER CLETA WINSLOW:

AN ORDINANCE TO CORRECT ORDINANCE #03-O-0600 BY AMENDING THE LEGAL DESCRIPTION FOR THE "HARRIS HOMES REVITALIZATION, PHASE I & II, HOUSING ENTERPRISE ZONE" (UEZ-03-04) TO REFLECT TWO SEPARATE LEGAL DESCRIPTIONS FOR PHASE I (MULTIFAMILY HOUSING) AND PHASE II (SENIOR HOUSING); AND FOR OTHER PURPOSES.

ADOPTED BY

NOV 01 2004

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

John M. Starnes
Walter Henderson
Kevin Leonard

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

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED
NOV 01 2004

ATLANTA CITY CLERK PRESIDENT

Sean Dr. Foster

6525600165
NOV 01 2004

Franklin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Mark Starnes
NOV 01 2004