



City Council  
Atlanta, Georgia

04-0 -0264

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-03-90  
12-10-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,  
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **142 Moreland Avenue, S.E.** be changed from the **R-4A (Single-Family Residential)** District, to the **MR-2 (Multi-Family Residential-Sub District 2)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 208 of the 15<sup>th</sup> District of **DeKalb** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,



Deputy Clerk

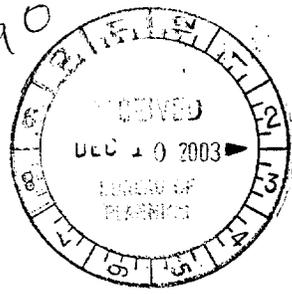
ADOPTED by the Council  
APPROVED by the Mayor

July 6, 2004  
July 14, 2004



Return to:  
RYLES HARRIS, INGRAM & BARRETT, P.C.  
20 Lenox Pointe  
Atlanta, GA 30324  
Tel No. 03-3158J

2-03-90



**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF FULTON

This Indenture made this 25th day of July, in the year two thousand Three, between **SPRINGDALE CAPTIAL, LLC** of the County of DEKALB, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **CONVERGE REAL ESTATE, LLC**, as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA, IN LAND LOT 208 OF THE 15TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING LOT NUMBER 1, IN THE PLAT OF C.B. MCDANIEL PROPERTY MADE BY T.C. JACKSON, COUNTY SURVEYOR, OCTOBER 5, 1914, AND ON FILE IN PLAT BOOK 4, PAGE 37, IN THE OFFICE OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF MORELAND AND MERLIN AVENUE AND RUNNING THENCE NORTH ALONG THE EAST SIDE OF MORELAND AVENUE 116 FEET; THENCE EAST 190 FEET, THENCE SOUTH 118 FEET TO THE NORTH SIDE OF MERLIN AVENUE; THENCE WEST ALONG THE NORTH SIDE OF MERLIN AVENUE 190 FEET TO THE BEGINNING POINT, AND BEING THE WEST 190 FEET OF LOT #1 OF C.B. MCDANIEL PROPERTY AS PER PLAT BOOK DESCRIBED ABOVE AND BEING 274, OLD NUMBER, 142 MORELAND AVENUE, S.E., ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA.

**LESS AND EXCEPT:**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 208 OF THE 15TH LAND DISTRICT, DEKALB COUNTY, GEORGIA, BEING PART OF LOT 1 OF THE C.B. MCDANIEL PROPERTY, ACCORDING TO PLAT RECORDED IN PLAT BOOK 4, PAGE 37, DEKALB COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF MORELAND AVENUE AND MERLIN AVENUE; RUNNING THENCE NORTH ALONG THE EAST SIDE OF MORELAND AVENUE 116 FEET; THENCE EAST A DISTANCE OF 19 FEET TO THE PROPOSED EAST SIDE OF MORELAND AVENUE; THENCE SOUTH ALONG THE PROPOSED EAST SIDE OF MORELAND AVENUE A DISTANCE OF 116 FEET TO THE NORTH SIDE OF MERLIN AVENUE; THENCE WEST ALONG THE NORTH SIDE OF MERLIN AVENUE A DISTANCE OF 19 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR A WALL, STEPS, AND SLOPE PURPOSES ALONG THE EAST SIDE OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY ACCORDING TO THE PLAT OF MORELAND AVENUE WIDENING BETWEEN MEMORIAL DRIVE AND BRANTLEY STREET, DATED APRIL 1, 1959, PREPARED BY AND ON FILE IN OFFICE OF CHIEF OF CONSTRUCTION, CITY OF ATLANTA, THIS IS THE SAME PROPERTY WHICH WAS CONDEMNED IN DEKALB SUPERIOR COURT IN CIVIL ACTION NO. 27,235, IN THE CASE OF CITY OF ATLANTA VS. MRS. MABEL STOVALL (FORMERLY MRS. MABEL CONSAUL BICKFORD, ET AL.)

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereto, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

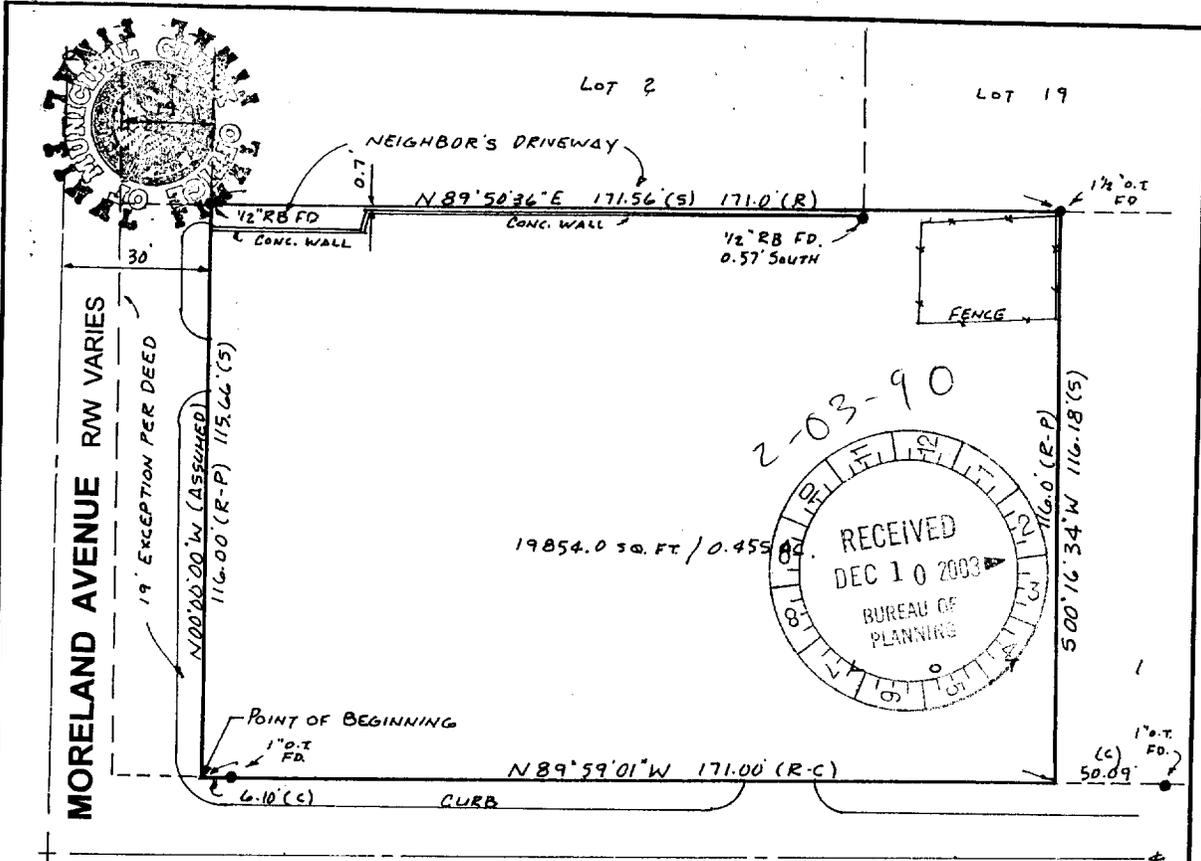
Signed, sealed and delivered in the presence of:

*[Signature]*

*Nichelle Callaway* (Seal)  
SPRINGDALE CAPTIAL, LLC

Witness  
*[Signature]*  
Notary Public  
My commission expires: *[Signature]*

Page 1 of 2



2-03-90



MERLIN AVENUE. S.E. (SECOND AVE.) 30' RW

SURVEY FOR: **CONVERGE REAL ESTATE**

LAND LOT NO: 208  
 DISTRICT NO: 15TH  
 SECTION:  
 COUNTY: DEKALB  
 PROPERTY ADDRESS:

DATE OF SURVEY: 12-9-2003  
 SURVEY NO: 2733  
 SURVEY PREPARED FOR:  
 LEGAL DESCRIPTION:

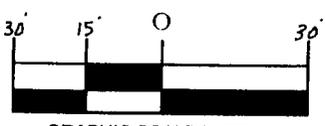
SEE ATTACHED DEED PLAT BOOK 4 PAGE 37

THE ABOVE DESCRIBED PROPERTY/STRUCTURE DOES NOT LIE WITHIN A FEDERALLY DESIGNATED 100 YR. FLOOD ZONE.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND(S) DESCRIBED AS SURVEYED UNDER MY DIRECT PERSONAL SUPERVISION.

JOHN L. FAILLA GEORGIA RLS # 2720



**LEGEND**

- \* ..... SURVEY POINT
- O ..... IRON MONUMENT SET
- ..... IRON MONUMENT FOUND
- (D) ..... DEED DISTANCE/BEARING
- (R) ..... RECORDED
- (C) ..... COMPUTED
- (P) ..... PLAT DISTANCE/BEARING
- (S) ..... SURVEYED/ACTUAL
- R ..... RADIUS
- CHD .. CHORD DISTANCED
- Δ ..... CENTRAL ANGLE
- P.C. .... POINT OF CURVE
- P.T. .... POINT OF TANGENCY
- R/W ... RIGHT-OF-WAY
- LL ..... LAND LOT
- LLL ..... LAND LOT LINE

NOTES:  
 EQUIPMENT USED: NIKON DTM 310  
 BEARINGS SHOWN ARE BASED ON FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A MINIMUM CLOSURE ON ONE FOOT IN 10,000 FEET; AND AN ANGULAR ERROR OF 03" PER ANGLE AND WAS ADJUSTED USING COMPASS RULE

2-03-90  
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**ASAP LAND SURVEYING**

RCS# 5874  
7/06/04  
3:04 PM

Atlanta City Council

Regular Session

04-O-0264

Z-03-90 REZONE R-4A TO MR-2 PROP  
142 MORELAND AVE  
ADOPT

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

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	Y Mosley	Y Willis

04-O-0264

04-0-0264

(Do Not Write Above This Line)

AN ORDINANCE 2-03-90  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4A (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE MR-2 (MULTI-FAMILY RESIDENTIAL-SUB DISTRICT 2) DISTRICT, PROPERTY LOCATED AT 142 MORELAND AVENUE, S.E., FRONTING 116 FEET ON THE EAST SIDE OF MORELAND AVENUE BEGINNING AT THE NORTHEAST CORNER OF MERLIN AVENUE. DEPTH: 171.60 FEET; AREA: 19,854 SQUARE FEET, LAND LOT 208, 15<sup>TH</sup> DISTRICT, DEKALB COUNTY, GEORGIA.

OWNER: CONVERGE REAL ESTATE  
APPLICANT: IRVING WEINER  
NPU-0 COUNCIL DISTRICT 5

ADOPTED BY

JUL 0 6 2004

COUNCIL

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

Date Referred 2/16/04

Referred To: ZRB + Zoning

First Reading

Committee Zoning  
Date 2/16/04  
Chair [Signature]

Committee Zoning  
Date June 2 2004  
Chair [Signature]

Actions  
Fav, Adv, Held (see rev. side)  
Other

Members

Refer To

Committee Zoning

Date June 30 2004

Chair [Signature]

Actions  
Fav, Adv, Held (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Actions  
Fav, Adv, Held (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Actions  
Fav, Adv, Held (see rev. side)  
Other

Members

Refer To

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

CERTIFIED

CERTIFIED  
6 2004  
[Signature]  
COUNCIL PRESIDENT PROTEM

CERTIFIED  
JUL 9 6 2004  
[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

[Signature]  
MAYOR