

May 11, 2004

AN ORDINANCE

04-0-1013

BY: CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON THAT PORTION OF MARKHAM STREET, SW LOCATED BETWEEN MANGUM STREET AND ITS DEAD END CONSISTING OF .2091 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 84 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a formal request from the abutting property owner, to abandon a portion of MARKHAM STREET, SW for the purpose of using the property for their own private use; and

WHEREAS, the request to abandon said street has been reviewed by the proper city agencies and by all public utilities prior to passage of the legislation; and

WHEREAS, the abandoned right-of-way will become part of the abutting owner's private property and will be their responsibility to maintain, operate, and provide all services and utilities; and

WHEREAS, the abutting property owner has agreed to acquire said streets from the City of Atlanta for the appraised fair market value; and

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

SECTION 1. That the portion of MARKHAM STREET, SW located between Mangum Street and its Dead End, consisting of .2091 acres, more or less, and being more specifically described in the attached Exhibit "A" lying and being in Land Lot 84 of the 14th District, Fulton County, Georgia, same is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 2. That the City's intent is hereby given to abandon said street.

SECTION 3. That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.



SECTION 4. That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

SECTION 5. That the Chief Procurement Officer be and is hereby authorized to appraise said street to determine its fair market land value.

SECTION 6. That all costs associated with the appraisal report shall be charged to and paid from Account Number 3P02 574001 M22F03349999.

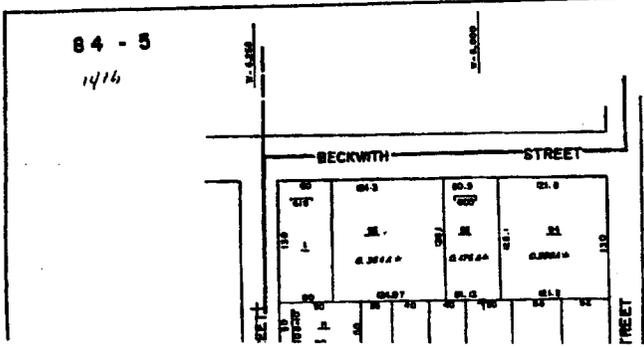
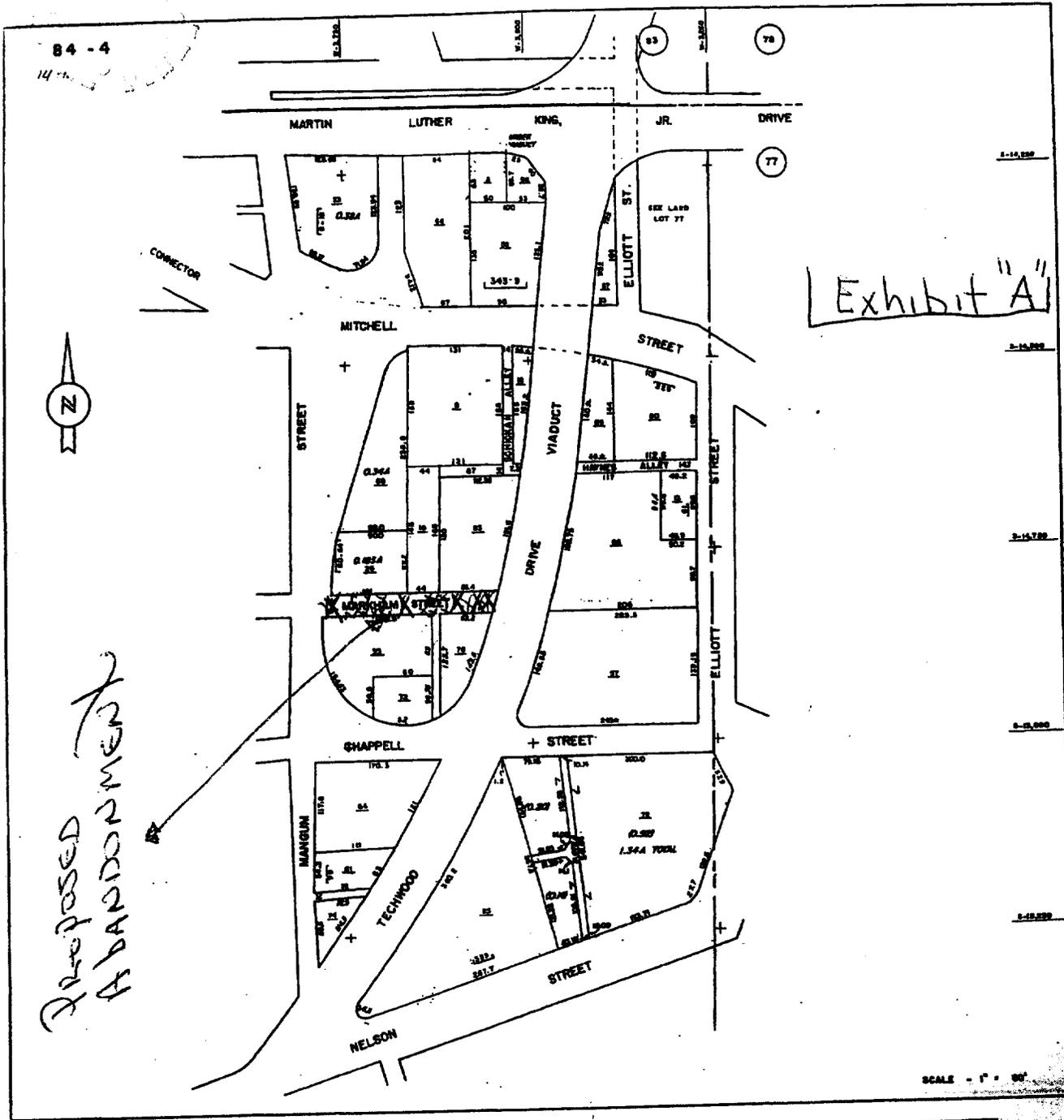
SECTION 7. That the Mayor be and is hereby authorized to execute a quitclaim deed to said street.

SECTION 8. That all ordinance and parts of ordinances in conflict herewith be and the same are hereby repealed.

**ADOPTED** by the Council  
**APPROVED** by the Mayor

July 6, 2004  
July 14, 2004

A true copy,  
  
Deputy Clerk



Markham St  
Legal Description

All that tract or parcel of land lying and being in Land Lot 84 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at a right-of-way monument found on the easterly right-of-way of Mangum Street (R/W varies), said right-of-way monument found being 366.31 feet southerly from the intersection of the southerly right-of-way of Mitchell Street (R/W varies) with said right-of-way of Mangum Street; thence departing said right-of-way South 87 degrees 33 minutes 30 seconds East a distance of 225.01 feet to a point on the northwesterly right-of-way of Centennial Olympic Park Drive (74' R/W); thence along said right-of-way along a curve to the right an arc distance of 43.96 feet (being subtended by a chord distance of 43.46 feet, a bearing of South 19 degrees 25 minutes 54 seconds West and a 1385.00 foot radius) to a point; thence departing said right-of-way North 87 degrees 29 minutes 41 seconds West a distance of 214.24 feet to a point on said right-of-way of Mangum Street; thence along said right-of-way North 05 degrees 07 minutes 12 seconds East a distance of 41.37 feet to said right-of-way monument found and the POINT OF BEGINNING. Said tract containing 0.2091 acres as shown on survey prepared by Pearson & Associates, Inc. dated December 10, 2003.

RECEIVED

JUN 01 2004

*amj*  
MUNICIPAL CLERK

STREET

RCS# 5880  
7/06/04  
3:18 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-9, EXCEPT:04-R-1187  
04-R-1179 04-R-1143 03-O-1690  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

| <b>7-06-04 Council Meeting</b>      |                                      |
|-------------------------------------|--------------------------------------|
| <b>ITEMS ADOPTED ON<br/>CONSENT</b> | <b>ITEMS ADVERSED ON<br/>CONSENT</b> |
| 1. 04-O-1036                        | 34. 04-R-1163                        |
| 2. 04-O-1037                        | 35. 04-R-1164                        |
| 3. 04-O-1038                        | 36. 04-R-1165                        |
| 4. 04-O-1039                        | 37. 04-R-1166                        |
| 5. 04-O-1040                        | 38. 04-R-1167                        |
| 6. 04-O-1041                        | 39. 04-R-1168                        |
| 7. 04-O-1042                        | 40. 04-R-1169                        |
| 8. 04-O-1196                        | 41. 04-R-1170                        |
| 9. 04-O-1013                        | 42. 04-R-1171                        |
| 10. 04-O-1014                       | 43. 04-R-1173                        |
| 11. 04-O-1050                       | 44. 04-R-1174                        |
| 12. 04-O-1054                       | 45. 04-R-1175                        |
| 13. 04-O-1055                       | 46. 04-R-1176                        |
| 14. 04-O-1058                       | 47. 04-R-1177                        |
| 15. 04-R-1152                       | 48. 04-R-1179                        |
| 16. 04-R-1153                       | 49. 04-R-1180                        |
| 17. 04-R-1158                       | 50. 04-R-1181                        |
| 18. 04-R-1193                       | 51. 04-R-1182                        |
| 19. 04-R-1155                       | 52. 04-R-1183                        |
| 20. 04-R-1149                       | 53. 04-R-1184                        |
| 21. 04-R-1150                       | 54. 04-R-1185                        |
| 22. 04-R-1033                       | 55. 04-R-1186                        |
| 23. 04-R-1146                       |                                      |
| 24. 04-R-1148                       |                                      |
| 25. 04-R-1159                       |                                      |
| 26. 04-R-1160                       |                                      |
| 27. 04-R-1161                       |                                      |
| 28. 04-R-1187                       |                                      |
| 29. 04-R-1188                       |                                      |
| 30. 04-R-1189                       |                                      |
| 31. 04-R-1190                       |                                      |
| 32. 04-R-1191                       |                                      |
| 33. 04-R-1192                       |                                      |

04-0-1013

(Do Not Write Above This Line)

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BY: CITY UTILITIES COMMITTEE

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ADOPTED BY

JUL 06 2004

COUNCIL

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

1. Date Referred 6-7-2004

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading  
 Committee Date July 29, 2004  
 Chair [Signature]  
 Referred To [Signature]

City Committee  
 Date July 29, 2004  
 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

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

CERTIFIED  
 JUL 06 2004  
 COUNCIL CLERK  
[Signature]

CERTIFIED  
 JUL 06 2004  
 MUNICIPAL CLERK  
[Signature]

MAYOR'S ACTION

APPROVED  
[Signature]  
 MAYOR