



**CITY COUNCIL,
ATLANTA, GEORGIA**

04-0-0488

**AN ORDINANCE BY
COUNCIL MEMBER NATALYN ARCHIBONG AS SUBSTITUTED BY
COMMUNITY DEVELOPMENT & HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER
DESIGNEE, ON BEHALF OF THE CITY, TO NEGOTIATE FOR AND
PURCHASE PROPERTY OF APPROXIMATELY 1.05 ACRES IN THE
CITY OF ATLANTA KNOWN AS THE ORNSTEN PROPERTY FROM
THE CONSERVATION FUND FOR AN AMOUNT NOT TO EXCEED
\$129,150, FOR THE PURPOSES SET FORTH IN THE CITY OF
ATLANTA GREENSPACE PROGRAM; AUTHORIZING THE
PAYMENT OF ASSOCIATED COSTS FROM ACCOUNT NUMBER
1C28-574001N 12P06129989; AND FOR OTHER PURPOSES.**

WHEREAS, the Ornsten Property is approximately 1.05 acres of undeveloped, forested land that is located on Roseclair Drive at the corner of Willow Wood Circle, and identified as Parcel ID 15-204D05-013 (the "Property"); and

WHEREAS, the Property serves as a storm water basin, has a sewer easement running through it, and has a stream running through it;

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

WHEREAS, The Conservation Fund (the "Owner"), the present owner of the Property, has agreed to sell the Property to the City of Atlanta (the "City") at a price significantly below the appraised value of \$129,150.

WHEREAS, The Conservation Fund is a non-profit, 501 (c) (3) organization, whose business is to negotiate property donations on behalf of public agencies or to purchase properties, providing tax incentives to property owners, and hold such properties in trust until the public agency has the funds to purchase the properties.

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

SECTION 1: That the Mayor or her designee, on behalf of the City, is hereby authorized to negotiate with the Owner to purchase the real property known as the Ornsten Property, located on Roseclair Drive at the corner of Willow Wood Circle, and identified as Parcel ID 15-20413-05-013, at a price no greater than the property's Fair Market Value of \$129,150.

SECTION 2: That Fund, Account, Center Number 1C28-574001N 12P06129989, Streamside Greenspace Projects, is to be used for the Property acquisition cost and payment of charges, including but not limited to surveys, environmental assessments, appraisals, title reports, title insurance, and other closing costs, but excluding consultant service fees, in a total amount not to exceed \$129,150.



SECTION 3: That the Mayor or her designee is hereby authorized to obtain surveys, title reports, and appraisals to establish the fair market value of the Property, and to accordingly determine the amount to be offered to the Owner for the Property.

SECTION 4: That the requirements of City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Property on behalf of the City without further authorization by the Atlanta City Council.

SECTION 5: That the City's Greenspace Acquisition Consultant, US Infrastructure, Inc., is authorized to settle those acquisitions of Property at an amount authorized by the Chief Procurement Officer.

SECTION 6: That upon acquisition, the Department of Watershed Management is hereby charged with all responsibility for the Property and shall maintain the land in perpetuity as undeveloped, passive greenspace, in order to protect the watershed and the stream on the Property; and that the deed for the Property shall provide that such Property shall remain permanently preserved as undeveloped passive greenspace.

SECTION 7: That all ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of this Ordinance only, and only to the extent of the conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 17, 2004
MAY 25, 2004

RCS# 5712
5/17/04
2:10 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-13 EXCEPT:04-R-0876
04-R-0911 04-R-0835 04-R-0882
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith
Y Starnes
Y Young

Y Winslow
Y Archibong
Y Fauver

Y Shook
Y Muller
Y Moore

Y Martin
B Maddox
Y Mitchell

Y Norwood
Y Willis

CONSENT I

**ITEMS ADOPTED ON
CONSENT**

1. 04-O-0858
2. 04-O-0869
3. 04-O-0372
4. 04-O-0373
5. 04-O-0641
6. 04-O-0642
7. 04-O-0646
8. 04-O-0648
9. 04-O-0650
10. 04-O-0652
11. 04-O-0653
12. 04-O-0656
13. 04-O-0657
14. 04-O-0874
15. 04-O-0488
16. 04-O-0700
17. 04-O-0872
18. 04-O-0660
19. 04-O-0661
20. 04-O-0873
21. 03-R-2228
22. 04-R-0805
23. 04-R-0806
24. 04-R-0808
25. 04-R-0809
26. 04-R-0822
27. 04-R-0859
28. 04-R-0882
29. 04-R-0889
30. 04-R-0369
31. 04-R-0870
32. 04-R-0876
33. 04-R-0815
34. 04-R-0847
35. 04-R-0862
36. 04-R-0863
37. 04-R-0821
38. 04-R-0807
39. 04-R-0811
40. 04-R-0812

**ITEMS ADOPTED ON
CONSENT**

41. 04-R-0813
 42. 04-R-0865
 43. 04-R-0824
 44. 04-R-0825
 45. 04-R-0826
 46. 04-R-0827
 47. 04-R-0828
- ITEMS ADVERSED
ON CONSENT**
48. 04-R-0829
 49. 04-R-0830
 50. 04-R-0831
 51. 04-R-0832
 52. 04-R-0833
 53. 04-R-0834
 54. 04-R-0836
 55. 04-R-0837
 56. 04-R-0838
 57. 04-R-0839
 58. 04-R-0840
 59. 04-R-0841
 60. 04-R-0842
 61. 04-R-0843
 62. 04-R-0844
 63. 04-R-0845
 64. 04-R-0846

04-0-0488
 (Do Not Write Above This Line)

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Natalyn Archibong
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 PURPOSES.

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

Date Referred 3/15/04
 Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee CD/HR
 Date 3/15/04

Chair [Signature]

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee CD/HR
 Date 3/15/04

Chair [Signature]

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____
 Date _____
 Chair _____

Chair _____

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____
 Date _____

Chair _____

Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

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

CERTIFIED

CERTIFIED

[Signature]

APPROVED
 MAY 17 2004
[Signature]
 MAYOR

MAYOR'S ACTION

[Signature]
 MAY 25 2004