

AN ORDINANCE

BY TRANSPORTATION COMMITTEE

04-0-1989

AN ORDINANCE RESCINDING ORDINANCE NUMBER 04-O-0611 ADOPTED BY THE COUNCIL ON MAY 3, 2004, AND APPROVED BY THE MAYOR ON MAY 11, 2004, AND AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE APPROPRIATE INSTRUMENTS TO EVIDENCE THE GRANTING OF AN EASEMENT TO GEORGIA POWER COMPANY ACROSS REAL PROPERTY OWNED BY THE CITY OF ATLANTA IN LAND LOTS 10, 11, 22, and 23 OF THE 13TH DISTRICT OF CLAYTON COUNTY, TO PROVIDE FOR PERMANENT ACCESS TO THE DELTA AIR LINES #1 POWER SUBSTATION WHICH SERVES THE DELTA AIR LINES TECHNICAL OPERATIONS CENTER, IN THE AREA OF THE MAYNARD HOLBROOK JACKSON JR, INTERNATIONAL TERMINAL PROJECT AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City entered into a Reimbursable Agreement with Georgia Power Company, November 20, 2003, for the relocation of the Delta Air Lines #1 Power Substation, which serves the Delta Air Lines Technical Operations Center; and

WHEREAS, the City Council adopted Ordinance Number 04-O-0611 on May 3, 2004 which was approved by the Mayor on May 11, 2004, authorizing the Mayor to execute appropriate instruments to evidence the granting of an Easement to the Georgia Power Company to maintain the relocated Delta Air Lines #1 power substation (Exhibit A); and

WHEREAS, the physical location of the Delta Air Lines # 1 power substation was moved south and east of the original site location to allow an access route for the future multimodal transportation system (Exhibit B); and

WHEREAS, the revised site location encroaches upon additional land lots located in the 13th District of Clayton County than was originally memorialized in Ordinance number 04-O-0611; and

WHEREAS, in connection therewith, this action is necessary so that Georgia Power can possess the appropriate legal instruments to construct, operate, and maintain facilities and other infrastructure created pursuant to the Maynard Holbrook Jackson, Jr., International Terminal Project, including, but not limited to, its transmission, distribution, fiber optic lines, and substation, as set forth in said Agreement, and as hereinafter set forth.

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

Section 1. That Ordinance number 04-O-0611 adopted by the Council of the City on May 3, 2004 and approved by the Mayor on May 11, 2004 is hereby rescinded.

Section 2. That a permanent Easement be and hereby is granted to Georgia Power Company with the right and privilege to go in, upon, across, and under that tract of land owned by the City of Atlanta in Land Lot 10, 11, 22, and 23 of the 13th District of Clayton County, Georgia, for the purpose of constructing and maintaining the Delta Air Lines #1 Power Substation.



Section 3. That the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta, an appropriate instrument to evidence the granting of above said Easements on behalf of the City of Atlanta.

Section 4. That the City Attorney be and hereby is directed to prepare an appropriate instrument to evidence such Easement, for execution by the Mayor.

Section 5. That the said Easement shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the instrument evidencing same, has been signed by the Mayor and delivered to the Georgia Power Company.

Section 6. That all ordinances or parts of ordinances in conflict herewith be, and the same hereby are repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

DEC 06, 2004

DEC 10, 2004



AN ORDINANCE

04-0-0611

BY TRANSPORTATION COMMITTEE

AN ORDINANCE GRANTING TO GEORGIA POWER COMPANY AN EASEMENT ACROSS REAL PROPERTY OWNED BY THE CITY OF ATLANTA IN LAND LOT 11 OF THE 13TH DISTRICT OF CLAYTON COUNTY, TO PROVIDE FOR PERMANENT ACCESS TO THE DELTA 2 POWER SUBSTATION WHICH SERVES THE DELTA AIR LINES TECHNICAL OPERATIONS CENTER, IN THE AREA OF THE MAYNARD HOLBROOK JACKSON JR., INTERNATIONAL TERMINAL PROJECT AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE APPROPRIATE INSTRUMENTS TO EVIDENCE THE GRANTING OF SUCH EASEMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport (the "Airport"), has undertaken a major airport expansion to accommodate the increasing air traffic at the airport, including the construction of the Maynard Holbrook Jackson Jr. International Terminal; and

WHEREAS, in connection therewith, the City entered into a Reimbursable Agreement with Georgia Power Company, November 20, 2003, for the relocation of the Delta Substation, which serves the Delta Airlines Technical Operations Center; and

WHEREAS, in connection therewith, this action is necessary so that Georgia Power can construct, operate, and maintain the facilities and other infrastructure created pursuant to the Project, including, but not limited to, its transmission, distribution, fiber optic lines, and substation, as set forth in said Agreement, and as hereinafter set forth.

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

Section 1. That a permanent Easement be and hereby is granted to Georgia Power Company with the right and privilege to go in, upon, across, and under that tract of land owned by the City of Atlanta in Land Lot 11 of the 13th District of Clayton County, Georgia, as shown on Exhibit A attached hereto and made a part thereof by reference, for the purpose of constructing and maintaining the Delta 2 Power Substation.

Section 2. That the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta, an appropriate instrument to evidence the granting of above said Easements on behalf of the City of Atlanta.

Section 3. That the City Attorney be and hereby is directed to prepare an appropriate instrument to evidence such Easement, for execution by the Mayor.

Section 4. That the said Easement shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the instrument evidencing same, has been signed by the Mayor and delivered to the Georgia Power Company.

Section 5. That all ordinances or parts of ordinances in conflict herewith be, and the same hereby are repealed.

A true copy,

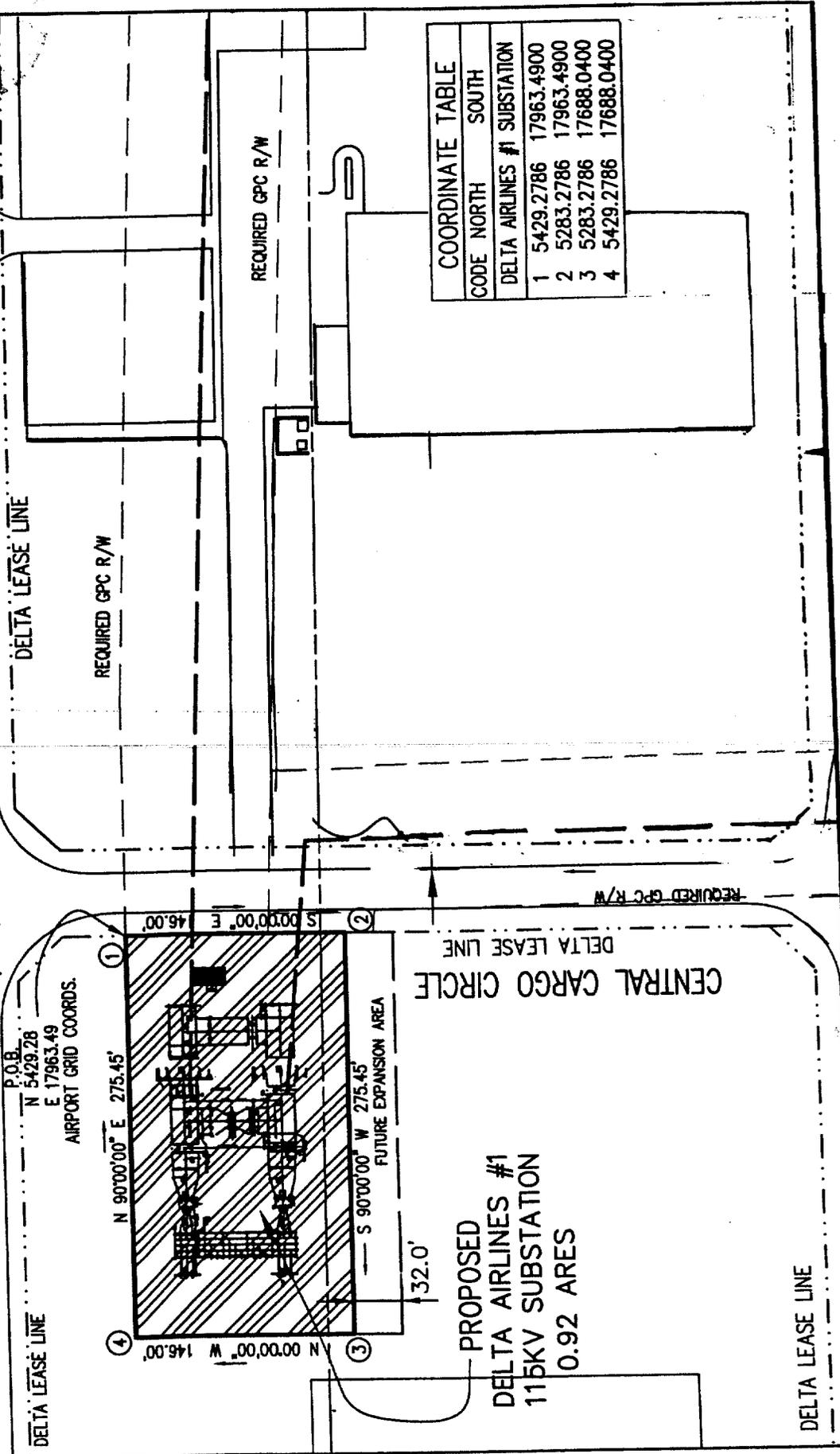
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

May 3, 2004
May 11, 2004

EXHIBIT B

AVIATION BLVD. (AKA) COLI 3E PARK ROAD



COORDINATE TABLE			
CODE	NORTH	SOUTH	
1	5429.2786	17963.4900	
2	5283.2786	17963.4900	
3	5283.2786	17688.0400	
4	5429.2786	17688.0400	

DATE: 9/09/2004
 SCALE: 1"=100'
 DRAWN BY: LAC
 EXHIBIT A
 SHT 1 OF 1

GEORGIA POWER COMPANY - LAND DEPARTMENT
DELTA AIRLINES #1 SUBSTATION & GEORGIA POWER STAGING AREA
 CROSSING THE PROPERTY OF
CITY OF ATLANTA

REFERENCE: H-856
SYMBOL LEGEND
 ● DEPICTS EXISTING POLE
 ○ DEPICTS PROPOSED GPC POLE
 ◻ DEPICTS REQUIRED GPC R/W
 P.O.B.=POINT OF BEGINNING
 P.O.C.=POINT OF COMMENCEMENT

			12-06-04 Council Meeting
ITEMS ADOPTED ON CONSENT			
1. 04-O-2043	42. 04-R-2128	83. 04-R-2186	104. 04-O-1989
2. 04-O-2044	43. 04-R-2129	84. 04-R-2187	105. 04-O-1990
3. 04-O-2045	44. 04-R-2130	85. 04-R-2188	106. 04-O-1991
4. 04-O-2046	45. 04-R-2131	86. 04-R-2189	107. 04-O-1992
5. 04-O-2098	46. 04-R-2132	87. 04-R-2199	108. 04-O-1993
6. 04-O-2099	47. 04-R-2209	88. 04-R-2200	109. 04-O-1994
7. 04-O-2100	48. 04-R-2210	89. 04-R-2201	110. 04-O-1995
8. 04-O-2110	49. 04-R-2211	Items	111. 04-O-1996
9. 04-O-2115	50. 04-R-2212	Adversed on	112. 04-O-1997
10. 04-O-1434	51. 04-R-2214	Consent	113. 04-O-2054
11. 04-O-1927	52. 04-R-2215	90. 04-R-2178	114. 04-O-2055
12. 04-O-1120	53. 04-R-2084	91. 04-R-2179	115. 04-O-2057
13. 04-O-1972	54. 04-R-2150	92. 04-R-2180	116. 04-O-2059
14. 04-O-2047	55. 04-R-2151	93. 04-R-2181	117. 04-O-2116
15. 04-O-0649	56. 04-R-2152	94. 04-R-2182	118. 03-R-1387
16. 04-O-1753	57. 04-R-2155	95. 04-R-2183	119. 04-R-2120
17. 04-O-1802	58. 04-R-2133	96. 04-R-2184	120. 04-R-2136
18. 04-O-1823	59. 04-R-2134	97. 04-R-2190	121. 04-R-2137
19. 04-O-2050	60. 04-R-2202	98. 04-R-2191	122. 04-R-2140
20. 04-O-2051	61. 04-R-2205	99. 04-R-2192	123. 04-R-2141
21. 04-O-2052	62. 04-R-2206	100. 04-R-2193	124. 04-R-2142
22. 04-O-2053	63. 04-R-2158	101. 04-R-2194	125. 04-R-2143
23. 04-O-2061	64. 04-R-2159	102. 04-R-2195	126. 04-R-2144
24. 04-O-2086	65. 04-R-2160	103. 04-R-2196	127. 04-R-2216
25. 04-O-2087	66. 04-R-2161		128. 04-R-2220
26. 04-O-2021	67. 04-R-2162		129. 04-R-2221
27. 04-O-2049	68. 04-R-2163		
28. 04-R-2145	69. 04-R-2164		
29. 04-R-2146	70. 04-R-2165		
30. 04-R-2147	71. 04-R-2166		
31. 04-R-2148	72. 04-R-2167		
32. 04-R-2149	73. 04-R-2168		
33. 04-R-2204	74. 04-R-2169		
34. 04-R-1970	75. 04-R-2170		
35. 04-R-2121	76. 04-R-2171		
36. 04-R-2122	77. 04-R-2172		
37. 04-R-2123	78. 04-R-2173		
38. 04-R-2124	79. 04-R-2174		
39. 04-R-2125	80. 04-R-2175		
40. 04-R-2126	81. 04-R-2176		
41. 04-R-2127	82. 04-R-2177		

04-0-1989
(Do Not Write Above This Line)

AN ORDINANCE
BY TRANSPORTATION COMMITTEE

AN ORDINANCE RESCINDING ORDINANCE NUMBER 04-0-0611 ADOPTED BY THE COUNCIL ON MAY 3, 2004, AND APPROVED BY THE MAYOR ON MAY 11, 2004, AND AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE APPROPRIATE INSTRUMENTS TO EVIDENCE THE GRANTING OF AN EASEMENT TO GEORGIA POWER COMPANY ACROSS REAL PROPERTY OWNED BY THE CITY OF ATLANTA IN LAND LOTS 10, 11, 22, and 23 OF THE 13TH DISTRICT OF CLAYTON COUNTY, TO PROVIDE FOR PERMANENT ACCESS TO THE DELTA AIR LINES #1 POWER SUBSTATION WHICH SERVES THE DELTA AIR LINES TECHNICAL OPERATIONS CENTER, IN THE AREA OF THE MAYNARD HOLBROOK JACKSON JR, INTERNATIONAL TERMINAL PROJECT AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

ADOPTED BY
DEC 06 2004

COUNCIL

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

Date Referred 11/15/2004

Referred To: Transportation

Date Referred

Referred To:

Date Referred

First Reading
Committee: TRANSPORTATION
Date: 11/16/04
Chair: *John L. Johnson*
Referred To: TRANSPORTATION

Committee: TRANSPORTATION
Date: 12/16/04
Chair: *John L. Johnson*

Action: Fav, Adv, Hold (see rev. side)
Other:

Members

John L. Johnson
William H. Shepherd
Clair Muller

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

CERTIFIED

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

DEC 06 2004

MAYOR'S ACTION

Handwritten signature
DEC 10 2004

MAYOR