



AN ORDINANCE

Howard Shook

05-0-1296

BY CONCILMEMBER HOWARD SHOOK

CORRECTING ORDINANCE NUMBER 04-O-0050 WHICH GRANTED THE GEORGIA POWER COMPANY A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF THE ELECTRICAL DISTRIBUTION SYSTEM ALONG THE CORRIDOR OF NORTHSIDE DRIVE AND BISHOP STREET TO ASSIST THE GEORGIA DEPARTMENT OF TRANSPORTATION WITH WIDENING AND IMPROVING OF THE INTERSECTION; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance Number 05-O-0050 was adopted by Council January 20, 2004 and approved by the Mayor on January 28, 2004; and

WHEREAS, the ordinance contained Georgia Power attachments (Exhibit "A") that had incorrect information (street addresses, land lot, parcel number and account number) regarding the construction and maintenance easement; and

WHEREAS, these attachments are vital to the construction and improvements of the intersection of Northside Drive and Bishop Street.

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

SECTION 1: That the attachments entitled Exhibit "A" in Ordinance 05-O-0050 are hereby rescinded and replaced with a new Exhibit "A" and Exhibit "B"

SECTION 2: That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

A true copy,

Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

JUL 18, 2005
JUL 26, 2005

EXHIBIT "A"

Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE DISTRIBUTION LINE
No 3958
Parcel No 003 Account No 69596-002235-0-89251-30000000
Letter File 9-3509 Deed File 10658 Map File N/A

State of Georgia **E A S E M E N T**
Fulton County

Received of **Georgia Power Company**, hereinafter called the Company, the sum of **Ten and 00/100** ***** Dollars
\$ 10.00 and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, in exchange for which the undersigned **City of Atlanta** whose Post Office Address is

55 Trinity Avenue, Atlanta, GA 30303

does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at

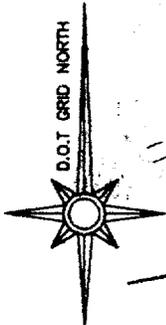
Vacant land located on Northside Drive, Atlanta, GA 30102

(address of property) in Land Lot 151 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

- on the North by lands of Bishop Street
- on the South by lands of Railroad
- on the East by lands of Northside Drive
- on the West by lands of Howell Mill

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut

TIBBITTS LAND SURVEYING, INC.
 362 WEST MEMORIAL DRIVE, DALLAS, GA 30132
 770-443-1027



EASEMENT AREA
 15,025 SF
 0.34 ACRE

BISHOP STREET

17TH STREET

NORTHSIDE DRIVE

N 007134°W 10.32'
 N 007216°W 140.13'
 S 005349°W 170.97'

N 007134°W 124.11'
 PROP. POWERLINE

N 071007°W 118.90'

N 007415°W 124.40'

N 171000°W 61.34'

S 024625°E 34.42'

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE, THE UNDERSIGNED AND TIBBITTS LAND SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.

THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. TIBBITTS LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

FILE REFERENCE: 030001 CRD F:\SU-DWG\GAP\POWER\WORK\GAP\INFO\1030008\1ATLANTA.DWG

LEGEND

- IRON PIN SET
- ⊙ IRON PIN FOUND
- ROW MARKER
- ⊗ CONTROL
- PL=PROPERTY LINE
- N/F=NOW OR FORMERLY
- L.L.L.=LAND LOT LINE
- EXISTING GPC POLE
- PROPOSED GPC POLE
- REQUIRED EASEMENT AREA
- R/W=RIGHT OF WAY

EXHIBIT "A"

GEORGIA POWER COMPANY - LAND DEPARTMENT

EASEMENT PLAT FOR:
 17th STREET
 CROSSING THE PROPERTY OF
 CITY OF ATLANTA

LAND LOT #151 DISTRICT 17 FULTON COUNTY, GEORGIA

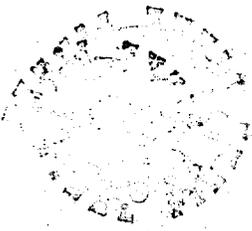
DATE: 10-28-04

SCALE: 1"=50'

DRAWN BY: BRANDY EASON

SHEET 1 OF 1

Exhibit A



 Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE DISTRIBUTION LINE
 No 3958
 Parcel No 003 Account No 69596-001521-0-89251-30000000
 Letter File 9-3509 Deed File 10658 Map File _____

State of Georgia
Fulton County

E A S E M E N T

Received of Georgia Power Company, hereinafter called the Company, the sum of Ten and 00/100 ***** Dollars
\$ 10.00 and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, in exchange for which the undersigned City of Atlanta whose Post Office Address is Bill Castings, Real Estate Attorney for the Public Works
550 Trinity Avenue, Atlanta, GA 30303

does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at
Approximately 2.06 acres located on Northside Drive, Atlanta, GA 30318
 (address of property) in Land Lot 148 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

- on the North by lands of Bishop Street
- on the South by lands of Huff Road
- on the East by lands of Northside Drive
- on the West by lands of Bishop Place

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut

Exhibit A

Parcel 003 Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE
DISTRIBUTION LINE

on said land by or for said Company shall remain the property of the owner of said timber.

The undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The rights herein include and embrace the right to clear and keep clear all trees and other obstructions located within fifteen (15') feet of the distribution pole line, plus the right to install and maintain anchors and guy wires as needed in the construction and maintenance of the above mentioned distribution line, *As appx. depicted...*

Said Company shall not be liable for or bound by any statement or understanding not herein expressed.

IN WITNESS WHEREOF, the Undersigned ha__ hereunto set _____ hand__ and seal, this _____ day of _____, _____.

Signed, sealed and delivered in the presence of:

City of Atlanta

Witness

Notary Public

By: _____

Name:

Title:

Attest: _____

Name:

Title:

(SEAL)

*Please execute document with a witness and notary. Then submit document in the self-addressed envelope.
Thank You*

EXHIBIT "B"

Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE DISTRIBUTION LINE
No 3958
Parcel No 015 Account No 69596-002235-0-89251-30000000
Letter File 9-3509 Deed File 10658 Map File N/A

State of Georgia
Fulton County

E A S E M E N T

Received of **Georgia Power Company**, hereinafter called the Company, the sum of **Ten and 00/100** ***** Dollars
\$ 10.00 and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, in exchange for which the undersigned **City of Atlanta** whose Post Office Address is

55 Trinity Avenue, Atlanta, GA 30303

does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at

Land located on Northside Drive, Atlanta, GA 30318

(address of property) in Land Lot 151 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

- on the North by lands of Hoke Street
- on the South by lands of Bishop Street
- on the East by lands of N/A
- on the West by lands of Reservoir Street

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut

Parcel 015 Name of Line **17TH STREET BRIDGE AND NORTHSIDE DRIVE
DISTRIBUTION LINE**

on said land by or for said Company shall remain the property of the owner of said timber.

The undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The rights herein include and embrace the right to clear and keep clear all trees and other obstructions located within fifteen (15') feet of the distribution pole line, plus the right to install and maintain anchors and guy wires as needed in the construction and maintenance of the above mentioned distribution line, as approximately depicted on Exhibit "A" attached hereto and made a part hereof.

Said Company shall not be liable for or bound by any statement or understanding not herein expressed.

IN WITNESS WHEREOF, the Undersigned ha____ hereunto set _____ hand____ and seal, this _____ day of _____, _____.

Signed, sealed and delivered
in the presence of:

City of Atlanta

Witness

Notary Public

By: _____ (SEAL)

Name: **Shirley Franklin**

Title: **Mayor**

Attest: _____ (SEAL)

Name:

Title:

RCS# 6850
7/18/05
4:53 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 6-19

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		7/05/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0663	31. 05-R-1226	52. 05-R-1265
2. 05-O-0666	32. 05-R-1227	53. 05-R-1266
3. 05-R-0900	33. 05-R-1228	54. 05-R-1267
4. 05-O-0901	34. 05-R-1302	55. 05-R-1268
5. 05-O-0902	35. 05-R-1303	56. 05-R-1269
6. 05-O-1294	36. 05-R-1304	57. 05-R-1270
7. 04-O-1363	37. 05-R-1318	58. 05-R-1271
8. 05-O-1129	38. 05-R-1220	59. 05-R-1272
9. 05-O-1131	39. 05-R-1250	60. 05-R-1273
10. 05-O-1132	40. 05-R-1252	61. 05-R-1274
11. 05-O-1133	41. 05-R-1295	62. 05-R-1275
12. 05-O-1134	42. 05-R-1255	63. 05-R-1276
13. 05-O-1135	43. 05-R-1256	64. 05-R-1277
14. 04-O-1973	44. 05-R-1257	65. 05-R-1278
15. 05-O-1126	45. 05-R-1258	66. 05-R-1279
16. 05-O-1128	46. 05-R-1259	67. 05-R-1280
17. 05-O-1296	47. 05-R-1260	68. 05-R-1281
18. 05-O-1300	48. 05-R-1261	69. 05-R-1283
19. 05-R-1140	49. 05-R-1262	70. 05-R-1284
20. 05-R-1320	50. 05-R-1263	71. 05-R-1285
21. 05-R-1215	51. 05-R-1264	
22. 05-R-1229		
23. 05-R-1254		
24. 05-R-1217		
25. 05-R-1218		
26. 05-R-1219		
27. 05-R-1251		
28. 05-R-1223		
29. 05-R-1224		
30. 05-R-1225		

#7

05-0-1296
(Do Not Write Above This Line)

AN ORDINANCE
BY CONCLIMEMBER HOWARD SHOOK
Howard Shook

CORRECTING ORDINANCE NUMBER 04-0-0050 WHICH GRANTED THE GEORGIA POWER COMPANY A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF THE ELECTRICAL DISTRIBUTION SYSTEM ALONG THE CORRIDOR OF NORTHSIDE DRIVE AND BSHOP STREET TO ASSIST THE GEORGIA DEPARTMENT OF TRANSPORTATION WITH WIDENING AND IMPROVING OF THE INTERSECTION; AND FOR OTHER PURPOSES.

ADOPTED BY
JUL 1 8 2005
COUNCIL

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

Date Referred 02/05/05
Referred To: City Utilities

Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee
City Utilities
02/05/05
Chair
Howard Shook

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

Members

Members
Howard Shook
Chair
Paul Mueller

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
Readings
 Consent V Vote RC Vote

CERTIFIED

JUL 1 8 2005

CERTIFIED
Paul Mueller
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
Howard Shook
MAYOR

EXHIBIT "A"

Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE DISTRIBUTION LINE
 No 3958
 Parcel No 003 Account No 69596-002235-0-89251-30000000
 Letter File 9-3509 Deed File 10658 Map File N/A

State of Georgia
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Vacant land located on Northside Drive, Atlanta, GA 30102

(address of property) in Land Lot 151 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

- on the North by lands of Bishop Street
- on the South by lands of Railroad
- on the East by lands of Northside Drive
- on the West by lands of Howell Mill

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut