07- O -0516

AN ORDINANCE BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT THE DONATION FROM THE TRUST FOR PUBLIC LAND OF APPROXIMATELY 0.84 ACRES LOCATED ON LUCILE AVENUE SW, PARCEL IDENTIFICATION NUMBER 14-0140-0005-073 ("THE LUCILE PROPERTY") INCLUDING CITY'S COSTS OF DUE DILIGENCE AND PURCHASE SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the Trust for Public Land (TPL) has under contract approximately 0.84 acres on Lucile Avenue SW, Parcel Identification Numbers 14-0140-0005-073 ("the Lucile Property") (See Exhibit "A") which is located along the proposed BeltLine; and

WHEREAS, the TPL has agreed to donate the Lucile Property to the City of Atlanta ("City") including the City's costs of due diligence and purchase services, subject to the appropriate City approval processes; and

WHEREAS, the TPL 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; and

WHEREAS, acceptance of the Lucile Property is consistent with the City's goal of greenspace acquisition, preservation and park expansion particularly in areas that are located along the proposed BeltLine.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to accept the donation from the Trust for Public Land of real property known as the Lucile Property and the associated costs of Due Diligence and Purchase Services.

SECTION 2: The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, and environmental assessments, and appraisals to evaluate the Lucile Property.

SECTION 6: Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Bureau of Parks, is hereby charged with all responsibility for the Property.

SECTION 7: The City's Greenspace Acquisition Consultant, ("the Consultant") is authorized to arrange and negotiate for the Due Diligence and Purchase Services.

SECTION 8: The requirements of the 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 City Council.

SECTION 9: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

SECTION 10: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance, said documents to be approved as to form by the City Attorney.

SECTION 11: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor.

SECTION 12: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development and Human Resources

Caption: AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT THE DONATION FROM THE TRUST FOR PUBLIC LAND OF APPROXIMATELY 0.84 ACRES LOCATED ON LUCILE AVENUE SW, PARCEL IDENTIFICATION NUMBER 14-0140-0005-073 ("THE LUCILE PROPERTY") INCLUDING CITY'S COSTS OF DUE DILIGENCE AND PURCHASE SERVICES; AND FOR OTHER PURPOSES.

Council Meeting Date: May 7, 2007

Requesting Dept.: Parks, Recreation, and Cultural Affairs

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this Ordinance request is to authorize the acceptance of a donation from the Trust for Public Land of approximately 0.84 acres of property located on Lucile Avenue SW, Atlanta for the purpose of creating the BeltLine trail connection.

2. Please provide background information regarding this legislation.

The PATH Foundation is designing and constructing segments of the BeltLine trail. The Lucile Property provides an important link to the overall connectivity of the BeltLine. The Trust for Public Land is acquiring the property and plans to donate it to the City. The Department of Parks, Recreation and Cultural Affairs will hold the property in its inventory upon acceptance of the donation.

3. <u>If Applicable/Known:</u>

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/a

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:**

4. **Fund Account Center:**

5. **Source of Funds:** All of the City's costs of Due Diligence and Purchase Services will be paid by the Trust for Public Land.

6. **Fiscal Impact:**

7. **Method of Cost Recovery:** N/a

This Legislative Request Form Was Prepared By: Ellen Wickersham, Atlanta Development Authority and Debra F. Harris, M.A., Department of Parks, Recreation and Cultural Affairs

EXHIBIT A

POWERED BY AKANDA

FULTON COUNTY
BOARD OF ASSESSORS

HEI

Home | Property Search

Address | Parcel ID | Advanced

RECORD DETAILS

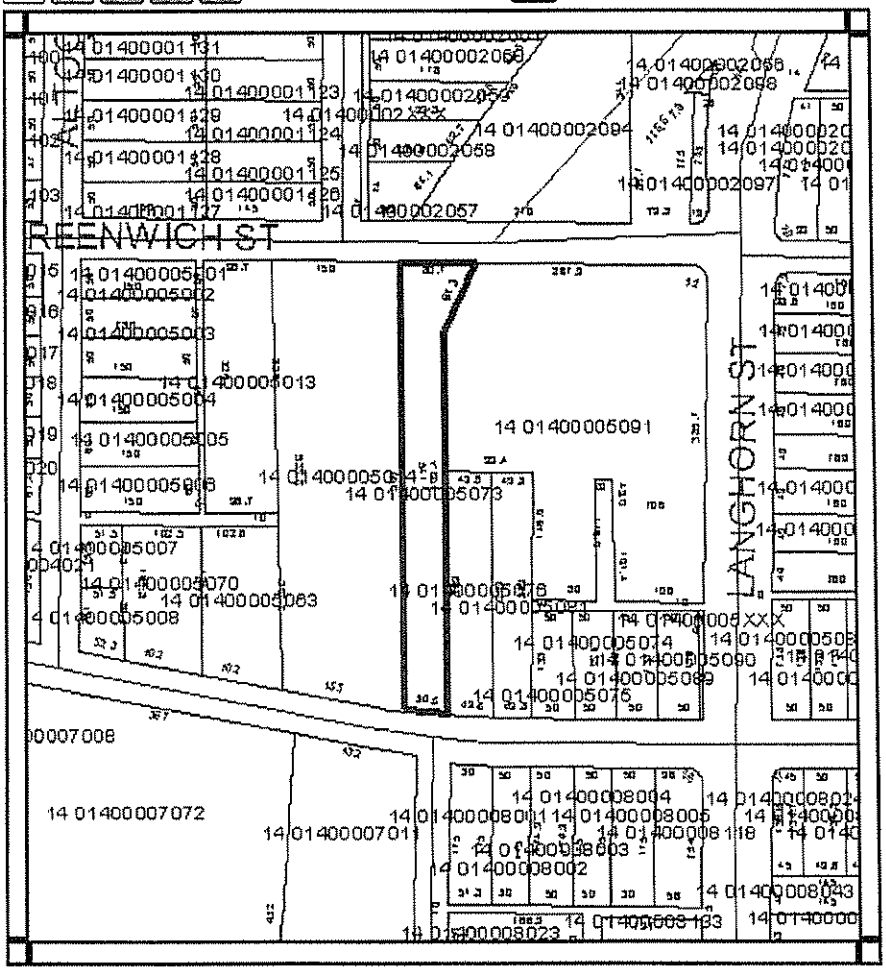
- Profile
- Residential
- Commercial
- Values
- Sales
- Out Buildings
- Sketch
- ▶ Map

14014000050734

TIMMONS FOREST JR **LUCILE AVE SW**

CUR

Return



Layers

☑ Parcels ☑ Township Boundaries ☐ Major Roads ☐ Lakes

☐ Rivers

Refresh

PROJECT COST WORKSHEET

Project Name:	**Lucile Avenue**	
Acreage:	0.84	
Address:	0 Lucile Avenue	
Parcel ID:	14-0140-0005-073	
Anticipated Holding Period:	None: 30-60 days	
Date: January 11, 2007		
LINE ITEM	**TPL**	**CITY**
Appraised Value	$65,000	
Contract Purchase Price (***or***)	$100,000	
Estimated Price		
Land Cost	$65,000	
Due Diligence Costs (pass through)		
Appraisal (actual)	$500	
Appraisal (actual)	$1,000	
Title Report (estimated)	$137	
Title Update or Review	$0	
Title Insurance	$1,000	
Phase I ESA	$1,200	
Survey (actual)	$1,630	
Closing Costs - Attorney	$1,000	
Closing Costs - Fees & Taxes (estimate)	$100	
Misc. Costs*	$1,000	
Holding/Other Costs		
Interest Accrued on earnest money	$25	
Property Taxes Accrued	$200	
Debris Removal/Site Clean-Up (est.)	$10,000	
Insurance	None	
Utilities	None	
Demolition	None	
Other (fencing)	None	
Subtotal Due Diligence + Holding	$17,792	
Personnel and Consultant Costs		
TPL	$1,950	
City		
Other		
Income Offset (rent/lease)		
N/A		
TOTAL EST TPL PRICE TO CITY	$84,742	
TOTAL EST COST TO CITY		

** since some of these figures are estimates, this is a reserve in case of unforseen related expenses*

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE **ATTN: GREG PRIDGEON**

Legislative Counsel (Signature): Terry Grandison

Contact Number: 404-330-6946

Originating Department: Parks, Recreation, and Cultural Affairs

Committee(s) of Purview: Community Development and Human Resources

Council Deadline: March 12, 2007

Anticipated Committee Meeting Date(s): March 13, 2007

Anticipated Full Council Date: April 16, 2007

Commissioner Signature

Chief Procurement Officer Signature

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT THE DONATION FROM THE TRUST FOR PUBLIC LAND OF APPROXIMATELY 0.84 ACRES LOCATED ON LUCILE AVENUE SW, PARCEL IDENTIFICATION NUMBER 14-0140-0005-073 ("THE LUCILE PROPERTY") INCLUDING CITY'S COSTS OF DUE DILIGENCE AND PURCHASE SERVICES); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: _____ (date) Reviewed by: _____ (date)

Submitted to Council: _____ (date)