07-O -1527

AN ORDINANCE
BY COUNCILMAN CEASAR C. MITCHELL

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED CONVEYING THE CITY OF ATLANTA'S INTEREST IN PROPERTY LOCATED AT 850 HOLLYWOOD ROAD, ATLANTA, FULTON COUNTY, GEORGIA ("PROPERTY"), IN AN AMOUNT NOT TO EXCEED ONE DOLLAR ($1.00), TO THE CITY OF ATLANTA-FULTON COUNTY LAND BANK AUTHORITY, FOR THE PUBLIC PURPOSE OF RETURNING SAID PROPERTY TO AN EFFECTIVE UTILIZATION STATUS IN ORDER TO PROVIDE HOUSING FOR THE CITIZENS OF THE CITY OF ATLANTA AND FULTON COUNTY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta is the record owner of certain property located at 850 Hollywood Road, Atlanta, in Land Lot 176 of the 14th District, Fulton County, Georgia (the "Property"), by virtue of a Deed from the Commissioner of Finance Ex-Officio Marshall of the City of Atlanta, as recorded May 9, 1990 in Deed Book 13394, page 40, Fulton County Records; and

**WHEREAS,** said property is vacant and non-revenue generating in its current status; and

**WHEREAS**, the City of Atlanta desires to convey said parcel of land for consideration of one dollar ($1.00), to the City of Atlanta-Fulton County Land Bank Authority for the public purpose of returning said land to an effective utilization status in order to provide housing for the citizens of the City of Atlanta and Fulton County.

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

**SECTION 1**: The Mayor be and is hereby authorized to execute a quitclaim deed conveying the City of Atlanta's ("City") interest in the property located at 850 Hollywood Road, Atlanta, Fulton County, Georgia, more particularly described as Exhibit "A" attached hereto, for the consideration of one dollar ($1.00), to the City of Atlanta-Fulton County Land Bank Authority for the public purpose of returning said land to an effective utilization status in order to provide housing for the citizens of the City of Atlanta and Fulton County.

**SECTION 2**: The deed conveying the property shall contain the following disclaimer:

> "TITLE TO THE PROPERTY CONVEYED BY THIS QUITCLAIM DEED HAS BEEN ACQUIRED BY THE CITY OF ATLANTA PURSUANT TO A TAX AND/ OR MARSHALL'S DEED. GRANTEES WILL ACQUIRE ONLY SUCH INTEREST AND QUALITY TO TITLE AS THE CITY POSSESSES AND NO WARRANTIES OF TITLE ARE GIVEN OR EXPRESSED BY THE CITY WITH REGARD TO SAID PROPERTY."

**SECTION 4:** 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.

EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 176 OF THE 14TH DISTRICT OF FULTON CLOUNTY, GEORGIA, AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF HOLLYWOOD ROAD AND EUGENIA PLACE (FORMERLY PORTLAND STREET); THENCE SOUTHEAST ALONG THE SOUTHWEST SIDE OF HOLLYWOOD ROAD NINETY (90) FEET; THENCE SOUTH TWO HUNDRED FIVE (205) FEET TO PROPERTY NOW OR FORMERLY OWNED BY CLARENCE HENRY PORTER; THENCE WEST NINETY (90) FEET TO EUGENIA PLACE; THENCE NORTH ALONG THE EAST SIDE OF EUGENIA PLACE TWO HUNDRED TWENTY-SIX (226) FEET TO THE POINT OF BEGINNING.

EXCEPTING, HOWEVER, THAT PART OF THE ABOVE DESCRIBED PROPERTY AS WAS USED IN THE ROUNDING OF THE CURVE OF HOLLYWOOD ROAD AND EUGENIA PLACE, AS WAS SHOWN BY WARRANTY DEED TO FULTON COUNTY, RECORDED IN DEED BOOK 2437, PAGE 295, FULTON COUNTY RECORD.