

AN ORDINANCE

*How Shook*

07-0-2132

BY COUNCILMEMBER HOWARD SHOOK

**CORRECTING ORDINANCE NUMBER 07-O-0985 WHICH ABANDONED A PORTION OF BOLLING WAY BETWEEN PHARR ROAD AND BUCKHEAD AVENUE AND ALSO ABANDONED A PORTION OF BOLLING WAY LOCATED IMMEDIATELY NORTH OF THE INTERSECTION OF BOLLING WAY WITH BUCKHEAD AVENUE ; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ordinance Number 07-O-0985 was adopted by Council June 4, 2007 and approved by the Mayor on June 12, 2007; and

**WHEREAS**, the ordinance contained an attached Legal Description and a plat entitled Exhibit "A" as well as the size of the area in square feet of the proposed abandonment of Bolling Way; and

**WHEREAS**, the Legal Description has been determined to be incorrect and the area presented in square feet to also be incorrect as a result of the information provided by the legal description attached to the original ordinance; and

**WHEREAS**, the accuracy of the attachments of this ordinance is vital to the construction of a project in the Buckhead area.

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

**SECTION 1:** That the caption of Ordinance 07-O-0985 be corrected to read as **.48** acre instead of .47 acre to reflect the additional area the new attachment entitled Exhibit "A" indicates.

**SECTION 2:** That the old Exhibit "A" in Ordinance 07-O-0985 is replaced with a **new Exhibit "A"** (attached).

**SECTION 3:** That the square feet amount in Section 1 of Ordinance 07-O-0985 is changed from 20,475 square feet to **20,772** square feet indicating the additional area contained in the new attachment.

**SECTION 4:** That the Fund, Account and Center Number in Section 6 is changed from 2000033166799 to **3P02 524001 M22F03349999**.

**SECTION 5:** That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

**LEGAL DESCRIPTION - TRACTS 1 AND 2****LEGAL DESCRIPTION  
ROW TO BE ABANDONED**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**WEST ROW**

BEGINNING AT THE NORTHERLY RIGHT-OF-WAY LINE OF BUCKHEAD AVENUE (VARIABLE RIGHT OF WAY) AND THE WESTERLY RIGHT-OF-WAY LINE OF BOLLING WAY (VARIABLE RIGHT OF WAY); THENCE SOUTH 87°32'35" WEST FOR A DISTANCE OF 44.16 FEET TO A POINT; THENCE NORTH 50°41'31" EAST FOR A DISTANCE OF 46.61 FEET TO A POINT; THENCE NORTH 35°55'25" EAST FOR A DISTANCE OF 42.36 FEET TO A POINT; THENCE NORTH 37°06'44" EAST FOR A DISTANCE OF 11.92 FEET TO A POINT; THENCE SOUTH 12°24'07" WEST FOR A DISTANCE OF 13.60 FEET TO A POINT; THENCE SOUTH 19°54'47" WEST FOR A DISTANCE OF 61.85 FEET TO A POINT; SAID POINT OF BEING THE TRUE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,297 SF OR 0.0297 ACRES.

**EAST ROW**

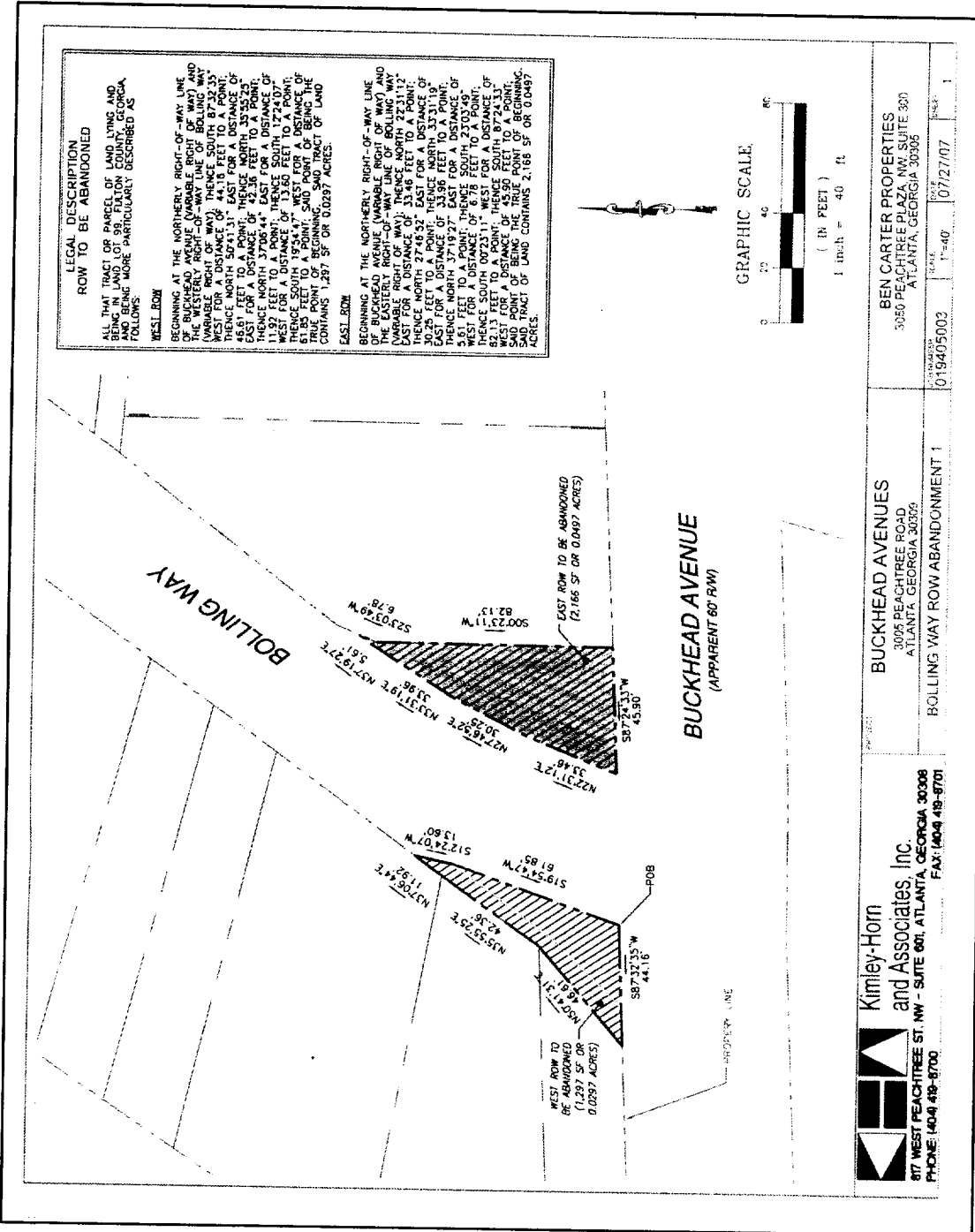
BEGINNING AT THE NORTHERLY RIGHT-OF-WAY LINE OF BUCKHEAD AVENUE (VARIABLE RIGHT OF WAY) AND THE EASTERLY RIGHT-OF-WAY LINE OF BOLLING WAY (VARIABLE RIGHT OF WAY); THENCE NORTH 22°31'12" EAST FOR A DISTANCE OF 33.46 FEET TO A POINT; THENCE NORTH 27°46'52" EAST FOR A DISTANCE OF 30.25 FEET TO A POINT; THENCE NORTH 33°31'19" EAST FOR A DISTANCE OF 33.96 FEET TO A POINT; THENCE NORTH 37°19'27" EAST FOR A DISTANCE OF 5.61 FEET TO A POINT; THENCE SOUTH 23°03'49" WEST FOR A DISTANCE OF 6.78 FEET TO A POINT; THENCE SOUTH 00°23'11" WEST FOR A DISTANCE OF 82.13 FEET TO A POINT; THENCE SOUTH 87°24'33" WEST FOR A DISTANCE OF 45.90 FEET TO A POINT; SAID POINT OF BEING THE TRUE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 2,166 SF OR 0.0497 ACRES.

**LEGAL DESCRIPTION - TRACT 3****LEGAL DESCRIPTION  
ROW TO BE ABANDONED**

ALL THAT TRACT OR PARCEL OF  
LAND LYING AND BEING IN LAND  
LOT 99, FULTON COUNTY, GEORGIA,  
AND BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

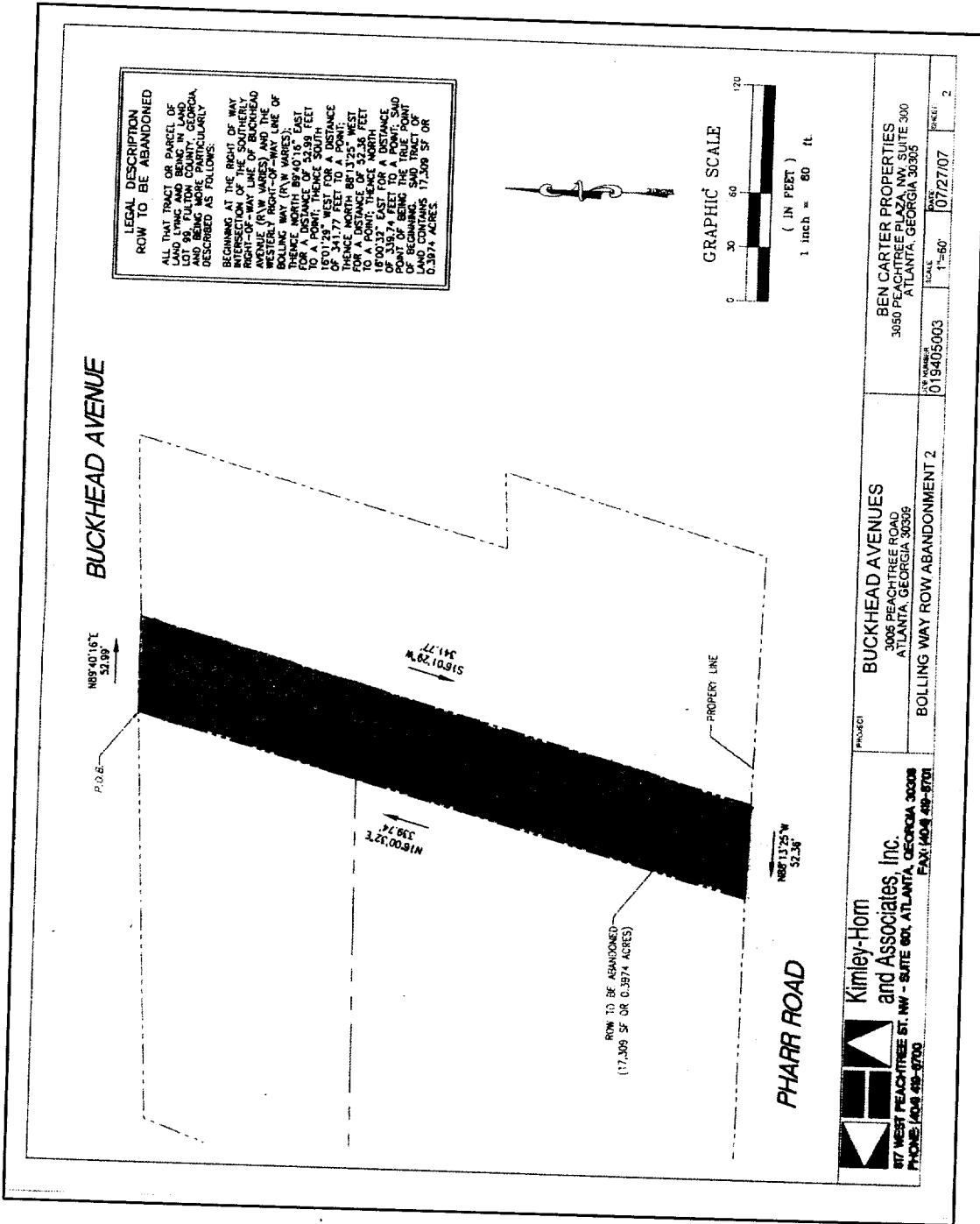
BEGINNING AT THE RIGHT OF WAY  
INTERSECTION OF THE SOUTHERLY  
RIGHT-OF-WAY LINE OF BUCKHEAD  
AVENUE (R\W VARIES) AND THE  
WESTERLY RIGHT-OF-WAY LINE OF  
BOLLING WAY (R\W VARIES);  
THENCE NORTH 89°40'16" EAST  
FOR A DISTANCE OF 52.99 FEET  
TO A POINT; THENCE SOUTH  
16°01'29" WEST FOR A DISTANCE  
OF 341.77 FEET TO A POINT;  
THENCE NORTH 88°13'25" WEST  
FOR A DISTANCE OF 52.36 FEET  
TO A POINT; THENCE NORTH  
16°00'32" EAST FOR A DISTANCE  
OF 339.74 FEET TO A POINT; SAID  
POINT OF BEING THE TRUE POINT  
OF BEGINNING. SAID TRACT OF  
LAND CONTAINS 17,309 SF OR  
0.3974 ACRES.

# SITE PLAN TRACTS 1 and 2



<p><b>Kimley-Horn and Associates, Inc.</b> 817 WEST PEACHTREE ST. NW - SUITE 901, ATLANTA, GEORGIA 30308 PHONE: (404) 419-8700 FAX: (404) 419-8701</p>	<p><b>BUCKHEAD AVENUES</b> 3005 PEACHTREE ROAD ATLANTA, GEORGIA 30309</p>	<p><b>BEN CARTER PROPERTIES</b> 3050 PEACHTREE PLAZA, NW, SUITE 300 ATLANTA, GEORGIA 30305</p>
	<p>BOLLING WAY ROW ABANDONMENT 1</p>	<p>019405003</p>

**SITE PLAN**  
TRACT 3



<b>BEN CARTER PROPERTIES</b> 3050 PEACHTREE PLAZA, NW, SUITE 300 ATLANTA, GEORGIA 30305	
<b>BUCKHEAD AVENUES</b> 3005 PEACHTREE ROAD ATLANTA, GEORGIA 30309	SCALE: 1"=60' PLAN: 0727/07 SHEET: 2
<b>BOLLING WAY ROW ABANDONMENT 2</b>	019405003
<b>Kimley-Horn and Associates, Inc.</b> 817 WEST PEACHTREE ST. NW - SUITE 801, ATLANTA, GEORGIA 30308 PHONE: 404-525-4700 FAX: 404-525-4701	

**TAX PLAT**

