

A RESOLUTION

BY: COUNCILMEMBER JIM MADDOX

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A CONFORMING LOT OF RECORD, PROPERTY LOCATED AT 1901 NISKEY LAKE ROAD (currently zoned R-4), THAT HAS BEEN CREATED AS THE RESULT OF PREVIOUSLY ISSUED BUILDING PERMITS AND THAT PRESENTLY HAS A HOUSE LOCATED ON IT.

WHEREAS, there have been a few instances in which building permits have been issued in the past for construction of single family houses on lots that were not shown on City cadastral maps at the time the permits were issued; and

WHEREAS, the City did not find that the applicant and/or property owner did submit any false documents or omit any relevant documents to cause the building permits to be issued; and

WHEREAS, the City issued the building permits and the applicant and/or property owner has been paying property taxes on said dwellings constructed as of the result of issued building permits; and

WHEREAS, single family house now exists on this lot which the City is unable to recognize because the lot is not shown on the official cadastral maps; and

WHEREAS, as a result of this situation the City is unable to issue building permits for repairs and alteration of the existing house, or for a new house; and

WHEREAS, it is in the public interest that this lot be recognized as conforming lot of record so that the present owner of the house is allowed to repair and make alterations or to build a new house as needed or desired.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,

Section 1: That the Bureau of Planning be authorized to recognize the property addressed as 1901 Niskey Lake Road as indicated on the legal description (Exhibit "A") and property boundary survey (Exhibit "B") hereto attached, as a conforming lot of record.

Section 2: This authorization applies only if all information submitted to the City and substantially relied upon by it in issuing the permit was true and correct and that the applicant did not engage in deceptive or illegal conduct in producing the aforementioned information.

Section 3: Provided further that this Resolution shall apply only to the property located at 1901 Niskey Lake Road.

RECORD:

1st

Deed Book 45628 Pg 100
Filed and Recorded Aug-31-2007 07:36am
2007-0254412
Real Estate Transfer Tax \$71.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"

Return Recorded Document to:
SHUPING, MORSE & ROSS, LLP
ATTORNEYS AT LAW
6259 RIVERDALE ROAD
RIVERDALE, GA 30274-1698

**ADMINISTRATOR'S DEED
(PURSUANT TO ORDER GRANTING LEAVE TO SELL)**

STATE OF GEORGIA

COUNTY OF CLAYTON

File #: 07-56511 ROBERT BLACKWELL

This Indenture made this 20th day of August, 2007 between ANN J. HERRERA, AS ADMINISTRATOR OF THE ESTATE OF NETTIE VICTORIA COCHRAN, late of the County of FULTON, State of GEORGIA, deceased, party of the first part, hereinafter called Grantor, and ROBERT BLACKWELL, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, (by virtue of the Order granted by the Probate Court of FULTON COUNTY, GEORGIA issued MAY 30, 2007, in Estate Number 185716, granting leave to sell) and for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

SEE ATTACHED EXHIBIT A.

This Deed is given subject to all easements and restrictions of record, if any.

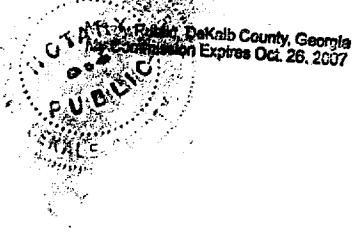
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE; in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possess and enjoyed, by said deceased.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
WITNESS
[Signature]
NOTARY PUBLIC



[Signature] (SEAL)
ANN J. HERRERA, AS ADMIN. OF THE
ESTATE OF NETTIE VICTORIA COCHRAN

(SEAL)

(SEAL)

(SEAL)

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 44 of the 14F District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the western right a way line of Niskey Lake Road (50 foot right a way) which iron pin is located 82.9 feet as measured northerly along the western right a way line of Niskey Lake Road a distance of 82.9 from the center line of Brooks Road as the same as presently located (such point of beginning being shown on prior deeds as being 541.57 feet from the center line of Brooks Road as the same was then located; Brooks Road having now been relocated to its present location); run thence north 83 degrees 55 minutes 48 seconds west a distance of 83.20 feet to an iron pin found; continue thence north 83 degrees 55 minutes 48 seconds a distance of 140.40 to an iron pin; run thence north 11 degrees 09 minutes 43 seconds east along the eastern boundary of property now formally own by Barbara Bailey a distance of 86.56 feet to an iron pin; run thence south 83 degrees 56 minutes 0 seconds east a distance of 198.39 feet to an iron pin located on the western right a way of Niskey Lake Road; run thence south 05 degrees 25 minutes 05 seconds east along the western right a way of Niskey Lake Road a distance of 88 feet to the point of beginning.

THE FORGOING courses and distances are taken from a plat of survey made for Russell Herrera dated June 25, 2007 by Southern Surveyors, the same being its job number 062007PH. The above described property is the same property conveyed to Nettie Victoria Cochran and described in Deed Book 10673, Page 178, Fulton County, Georgia records.

