

A RESOLUTION

BY COUNCILMEMBER CLETA WINSLOW



EXPRESSING THE INTENT OF THE CITY OF ATLANTA TO TERMINATE A SEWER EASEMENT ENCUMBERING PROPERTY LOCATED ON ROCKWELL STREET, WHICH HAS BEEN DEVELOPED AS AFFORDABLE RENTAL HOUSING KNOWN AS PITTSBURGH APARTMENTS, AND THE INTENT OF THE CITY OF ATLANTA TO ACCEPT THE DEDICATION OF A RELOCATED SEWER EASEMENT ENCUMBERING SAID PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, Pittsburgh Phase I, LP and Pittsburgh Phase II, LP, each a Georgia limited partnership (the “Owners”), are the owners of certain land located on Rockwell Street in the City of Atlanta, Fulton County, Georgia (the “Land”); and

WHEREAS, the Land is encumbered by a City of Atlanta Sewer Easement (the “Former Sewer Easement”) recorded in Deed Book 4233, Page 286, Fulton County, Georgia records, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, said former sewer easement serves only the Land; and

WHEREAS, the Owners have developed on the Land an affordable housing development known as Pittsburgh Apartments (the “Development”); and

WHEREAS, the Owners have relocated the sewer line formerly located in the Former Sewer Easement, and have developed a new sewer line to service the Development (the “Relocated Sewer”) within a new easement area, the location of which is attached hereto as Exhibit “B” (the “New Sewer Easement”), and which is also located on the Land; and

WHEREAS, the City of Atlanta has approved the location of the New Sewer Easement and has approved the construction of the Relocated Sewer, which construction has been performed in compliance with the requirements of the City of Atlanta; and

WHEREAS, the Owners have requested that the City terminate its Former Sewer Easement and the Owners have also requested that the City accept the dedication of the New Sewer Easement.

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

SECTION 1: The Council of the City of Atlanta hereby expresses the intent to terminate a City of Atlanta Sewer Easement recorded in Deed Book 4233, page 286, Fulton County, Georgia records, which Former Sewer Easement encumbers property located on Rockwell Street and described on Exhibit “A”, which land has been developed as affordable rental housing known as Pittsburgh Apartments, said termination to occur, and shall be executed by the Mayor of the City of Atlanta.

SECTION 2: The Council of the City of Atlanta hereby approves the dedication to the City of a new City of Atlanta Sewer Easement, to be recorded in the Fulton County, Georgia records, which New Sewer Easement shall encumber property located on Rockwell Street and described on Exhibit "B", which land has been developed as affordable rental housing known as Pittsburgh Apartments, said New Sewer Easement to be accepted by the Mayor of the City of Atlanta.

SECTION 3: The City Attorney is authorized to prepare an agreement and approve the agreement as to form and it will not become binding upon the City until executed by the Mayor, attested to by the Municipal Clerk and delivered to both parties.

SECTION 4: All resolutions or parts of resolutions in conflict herewith are hereby waived in this instances only.

EXHIBIT "A"

Legal Description

West Storm Line Abandonement

All that tract or parcel of land lying and being in Land Lot 86 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at a point being the intersection of the northerly right of way of Rockwell Street (37.9 feet from original centerline) and the easterly right of way of Coleman Street (34 feet from original centerline); thence along said right of way of Rockwell Street and running thence South 89° 55' 48" East for a distance of 249.32 feet to a point on the centerline of storm pipe and the TRUE POINT OF BEGINNING, from point thus established and running along the centerline of storm pipe the following courses: thence North 20° 04' 10" West for a distance of 198.70 feet to a manhole; thence North 20° 22' 41" West for a distance of 242.04 feet to a manhole; thence North 10° 01' 49" West for a distance of 8.80 feet to a manhole; thence North 20° 57' 56" West for a distance of 265.55 feet to a point on the easterly Right of Way of Coleman Street and the terminus of the easement. (No width specified for easement)

Legal Description

East Storm Line Abandonement

All that tract or parcel of land lying and being in Land Lot 86 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at a point being the intersection of the northerly right of way of Rockwell Street (37.9 feet from original centerline) and the easterly right of way of Coleman Street (34 feet from original centerline); thence along said right of way of Rockwell Street and running thence South 89° 55' 48" East for a distance of 327.87 feet to a point on the centerline of storm pipe and the TRUE POINT OF BEGINNING, from point thus established and running along the centerline of storm pipe the following courses: thence North 20° 51' 12" West for a distance of 198.37 feet to a manhole; thence North 20° 55' 59" West for a distance of 253.02 feet to a manhole; thence North 20° 50' 58" West for a distance of 262.23 feet to a manhole; thence North 23° 45' 46" West for a distance of 181.54 feet to a point on the easterly Right of Way of Coleman Street and the terminus of the easement. (No width specified for easement)

EXHIBIT "B"

Legal Description

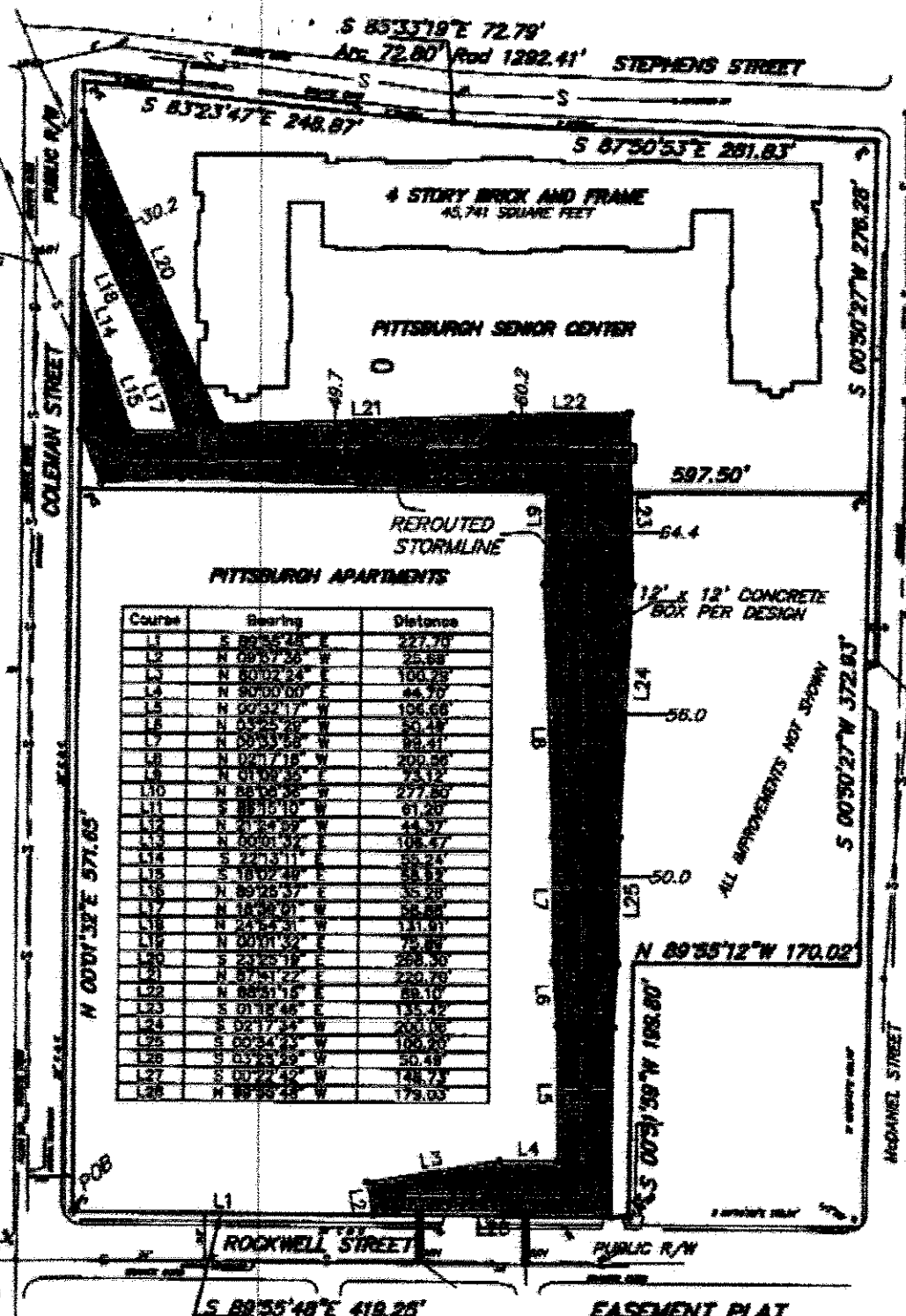
Proposed Storm Easement (Variable Width)

All that tract or parcel of land lying and being in Land Lot 86 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

To reach the Point of Beginning commence at a point being the intersection of the northerly right of way of Rockwell Street (37.9 feet from original centerline) and the easterly right of way of Coleman Street (34 feet from original centerline); thence along said right of way of Rockwell Street and running thence South 89° 55' 48" East for a distance of 227.70 feet to a point and the TRUE POINT OF BEGINNING, from point thus established and running thence North 09° 57' 36" West for a distance of 25.68 feet to a point; thence North 80° 02' 24" East for a distance of 100.29 feet to a point; thence North 90° 00' 00" East for a distance of 44.70 feet to a point; thence North 00° 32' 17" West for a distance of 106.68 feet to a point; thence North 03° 25' 29" West for a distance of 50.49 feet to a point; thence North 00° 33' 58" West for a distance of 99.41 feet to a point; thence North 02° 17' 18" West for a distance of 200.56 feet to a point; thence North 01° 09' 35" East for a distance of 73.12 feet to a point; thence North 88° 08' 36" West for a distance of 277.80 feet to a point; thence South 86° 15' 10" West for a distance of 61.20 feet to a point; thence North 21° 24' 59" West for a distance of 44.37 feet to a point on the easterly right of way of Coleman Street; thence along said Right of Way of Coleman Street North 00° 01' 32" East for a distance of 106.47 feet to a point; thence leaving said Right of Way and running South 22° 13' 11" East for a distance of 55.24 feet to a point; thence South 18° 02' 49" East for a distance of 58.92 feet to a point; thence North 89° 25' 37" East for a distance of 35.28 feet to a point; thence North 18° 39' 01" West for a distance of 58.88 feet to a point; thence North 24° 54' 31" West for a distance of 131.91 feet to a point on the easterly Right of Way of Coleman Street; thence along said Right of Way North 00° 01' 32" East for a distance of 75.89 feet to a point; thence leaving said Right of Way South 23° 25' 19" East for a distance of 268.30 feet to a point; thence North 87° 41' 22" East for a distance of 220.70 feet to a point; thence North 88° 51' 15" East for a distance of 89.10 feet to a point; thence South 01° 18' 46" East for a distance of 135.42 feet to a point; thence South 02° 17' 34" West for a distance of 200.06 feet to a point; thence South 00° 34' 23" West for a distance of 100.20 feet to a point; thence South 03° 25' 29" West for a distance of 50.49 feet to a point; thence South 00° 22' 42" West for a distance of 148.73 feet to a point on the northerly Right of Way of Rockwell Street; thence along said Right of Way North 89° 55' 48" West for a distance of 179.03 feet to the POINT OF BEGINNING. Said property contains 1.475 acres.

S 85°33'19"E 72.79'
 Adj. 72.80' Rod 1292.41' STEPHENS STREET

5' x 7' BRICK ELECTRIC TERNEL
 PER CITY OF ATLANTA RECORDS



Course	Bearing	Distance
L1	S 89°55'28"E	227.70
L2	N 09°57'26"W	25.88
L3	N 80°02'24"E	104.28
L4	N 90°00'00"W	44.30
L5	N 00°32'17"W	108.68
L6	N 03°25'29"W	50.48
L7	N 00°53'58"W	82.21
L8	N 02°17'18"W	202.28
L9	N 01°02'35"W	73.12
L10	N 83°13'38"E	277.80
L11	N 88°16'10"W	61.29
L12	N 87°24'32"W	24.37
L13	N 00°01'32"E	108.47
L14	N 22°13'11"W	85.24
L15	N 18°02'48"W	252.34
L16	N 80°18'57"E	35.28
L17	N 24°24'07"E	121.01
L18	N 00°01'32"E	75.88
L19	N 23°25'18"W	288.30
L20	N 87°51'22"W	280.78
L21	N 80°50'18"W	88.10
L22	S 01°18'48"E	135.42
L23	S 02°17'23"W	200.18
L24	S 00°34'23"W	108.20
L25	S 03°23'33"W	50.49
L26	N 00°22'49"W	148.72
L27	N 89°59'45"W	179.00

TRACT =
 1.475 ACRES

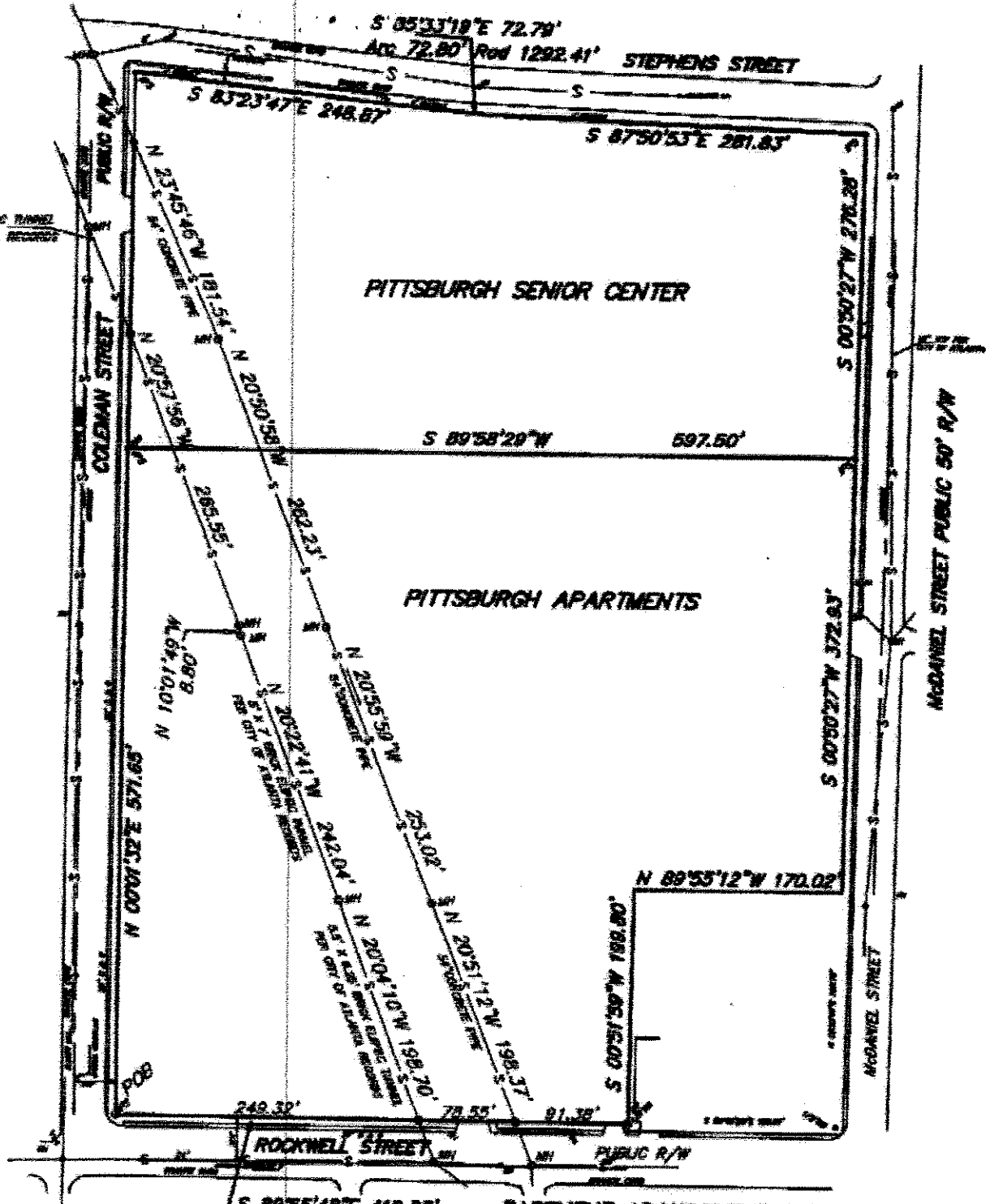


EASEMENT PLAT
 OF
PITTSBURGH SENIOR CENTER & APARTMENTS
 LAND LOT 86 14TH DISTRICT
 FULTON COUNTY CITY OF ATLANTA GEORGIA
 DECEMBER 6, 2007 SCALE: 1" = 120'

TECHNICAL SURVEY SERVICES, INC.
 Land Surveyors
 784 WEST CIRCLE, SW Telephone (770) 922-6391
 CONYERS, GEORGIA 30012 FAX (770) 922-0767

JOB: PITTSBURGH SENIOR CENTER SCREEN FILE: PITTSBURGH SENIOR.DWG

3 X 7 BRICK ELECTRIC TUNNEL
PER CITY OF ATLANTA RECORDS



EASEMENT ABANDONEMENT PLAT
OF
PITTSBURGH SENIOR CENTER & APARTMENTS



LAND LOT 86
FULTON COUNTY CITY OF ATLANTA 14TH DISTRICT
DECEMBER 6, 2007 GEORGIA
SCALE: 1" = 120'

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JOB: PITTSBY.DWG SCREEN FILE: PITTSBYSENIOR.DWG