

#2

10-0-1689

(Do Not Write Above This Line)

AN ORDINANCE BY 10-O-COUNCILMEMBERS IVORY YOUNG AND KWANZA HALL

AN ORDINANCE AUTHORIZING THE MAYOR, ACTING ON BEHALF OF THE CITY OF ATLANTA, TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCEPT THE DEDICATION OF A FIRE STATION AT ATLANTIC STATION ("FIRE STATION"); AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 20 2010

COUNCIL SUBSTITUTE

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 9/7/10
 Referred To: Public Safety
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA Committee
 Date 9/14/10
 Chair [Signature]
 Action [Signature]
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members [Signature]
[Signature]
Adrian
Waterbury
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

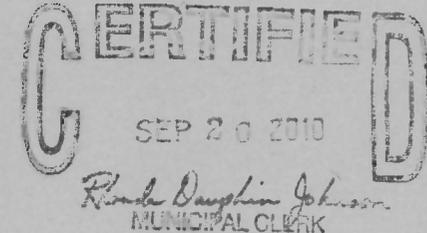
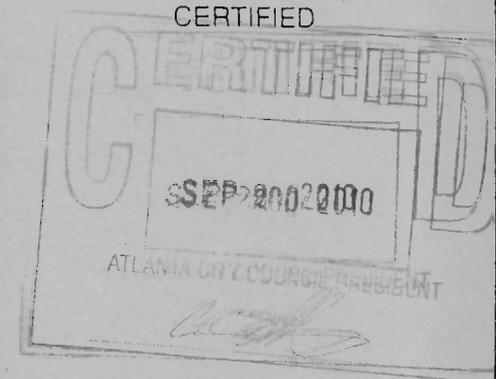
Committee _____
 Date _____
 Chair _____
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 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
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 Fav, Adv, Hold (see rev. side)
 Other _____
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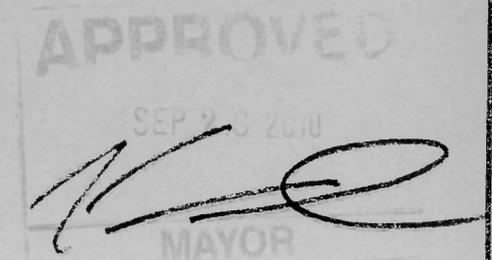
FINAL COUNCIL ACTION

- 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED



MAYOR'S ACTION





**COUNCILMEMBERS IVORY YOUNG AND KWANZA HALL AS SUBSTITUTED BY
FULL COUNCIL**

**AN ORDINANCE AUTHORIZING THE MAYOR, ACTING ON BEHALF OF
THE CITY OF ATLANTA, TO EXECUTE ALL DOCUMENTS NECESSARY TO
ACCEPT THE DEDICATION OF A FIRE STATION/EMERGENCY SERVICES
FACILITY AT ATLANTIC STATION (“FIRE STATION”); AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Atlanta (hereinafter, “City”) has been offered the conveyance of a fire station/emergency services facility located on the parcel described in Exhibit A attached hereto and made a part hereof from Atlantic Station, L.L.C. (hereinafter, “Transferor”) in accordance to the City Services Agreement between the City and Atlantic Station, L.L.C.; and

WHEREAS, Transferor is the master developer of approximately 138 acres located in the City of Atlanta, Georgia, upon which Transferor is developing a mixed-use development commonly known as the ATLANTIC STATION[®] Project (the “Project”); and

WHEREAS, Transferor is conveying that portion of the Project described on Exhibit “A”, attached hereto and incorporated herein by this reference (the “Property”), to the City for the purpose of providing increased fire and emergency services protection to service the emerging residential and commercial sectors of the surrounding areas, as more particularly contemplated in that certain City Services Agreement, dated as of April 1, 2006, by and between Transferor and the City; and

WHEREAS, Transferor entered into a construction contract for the construction of the fire station/emergency services facility in the Project and certain related improvements in and/or on the Property; and

WHEREAS, the City has confirmed through its project coordinator that all necessary conditions and requirements relating to the development, construction and equipping of the fire station/emergency services facility have been completed by the Transferor; and

WHEREAS, the City’s project coordinator certifies that the facility is ready for immediate occupancy.

NOW THEREFORE The City Council of the City of Atlanta, Georgia Hereby Ordains,
AS FOLLOWS:

Section 1. That the City is hereby authorized to accept this dedication of a Fire Station/Emergency Services Facility.



Section 2. That the Office of Enterprise and Asset Management and Atlanta Fire Department are authorized to maintain this facility.

Section 3. That the City Attorney is authorized to prepare all documents necessary to facilitate the acceptance of the Fire Station/Emergency Services Facility.

Section 4. That the Mayor is hereby authorized to execute all documents necessary to complete the dedication.

Section 5. That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

SEP 20, 2010
SEP 28, 2010



Exhibit "A"

Fire Station Parcel Legal Description

Tract A

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 108 of the 17th District, City of Atlanta, Fulton County, Georgia, being more particularly described as follows:

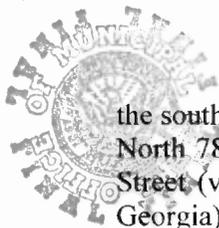
COMMENCE at Monument BFC 04 lying at State Plane Coordinates Northing 1,378,194.1172 and Easting 2,223,416.8937, NAD 83 Georgia West Zone; said monument also described as being located at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North 76°34'34" East, a distance of 4,491.88 feet to a point on the easterly right-of-way line of Fowler Street (variable width private roadway to be dedicated to and publicly owned by the City of Atlanta, Georgia), said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence continue to run along and coincident with the easterly right-of-way line of Fowler Street along the arc of a curve to the left, an arc distance of 53.63 feet (said curve having a radius of 385.00 feet, being subtended by a chord bearing North 13°14'37" West, a chord distance of 53.58 feet) to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85 (variable right-of-way width); thence leave the easterly right-of-way line of Fowler Street and run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South 21°14'00" East, a distance of 43.19 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South 17°02'36" East, a distance of 10.81 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence leave the westerly right-of-way line of Interstate Highway I-75 & I-85 and run South 76°32'55" West, a distance of 6.72 feet to a point on the easterly right-of-way line of Fowler Street, said point being the TRUE POINT OF BEGINNING.

Said tract containing 0.004 acres and being more particularly shown as "Tract A" on that certain ALTA/ACSM Land Title Survey of the Fire Station Parcel at the ATLANTIC STATION[®] Project, prepared for Atlantic Station, L.L.C., City of Atlanta, Georgia, AIG Global Real Estate Investment Corp., Atlantic Station Master Owners' Association, Inc., District Owners' Association, Inc., Wells Fargo Bank, N.A., and Chicago Title Insurance Company, prepared by Lowe Engineers, LLC, bearing the seal and certification of Carol Anne Martin, G.R.L.S. No. 2544, dated March 31, 2006, last revised _____, 2010 (the "Survey").

Tract B

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 108 of the 17th District, Fulton County, Georgia, lying at and below elevation 905.42 feet above "MSL" (which term means Mean Sea Level as determined by reference to the most current published datum by the U.S. Coast and Geodetic Service for Atlanta, Georgia, as of the date hereof) and being contained within the area formed by the boundary lines more particularly described as follows:

COMMENCE at Monument BFC 04 lying at State Plane Coordinates Northing 1,378,194.1172 and Easting 2,223,416.8937, NAD 83 Georgia West Zone; said monument also described as being located at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and



the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North $78^{\circ}21'25''$ East, a distance of 4,465.07 feet to a point on the easterly right-of-way line of Fowler Street (variable width private roadway to be dedicated to and publicly owned by the City of Atlanta, Georgia), said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence continue to run along and coincident with the easterly right-of-way line of Fowler Street North $00^{\circ}43'06''$ East, a distance of 74.96 feet to a point on the easterly right-of-way line of Fowler Street; thence continue to run along and coincident with the easterly right-of-way line of Fowler Street along the arc of a curve to the left, an arc distance of 67.00 feet (said curve having a radius of 385.00 feet, being subtended by a chord bearing North $04^{\circ}16'03''$ West, a chord distance of 66.92 feet) to a point on the easterly right-of-way line of Fowler Street; thence leave the easterly right-of-way line of Fowler Street and run North $76^{\circ}32'55''$ East, a distance of 6.72 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85 (variable right-of-way width); thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South $17^{\circ}02'36''$ East, a distance of 136.33 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South $42^{\circ}04'51''$ East, a distance of 0.90 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence leave the westerly right-of-way line of Interstate Highway I-75 & I-85 and run South $74^{\circ}01'22''$ West, a distance of 40.25 feet to a point; thence run along the arc of a curve to the right, an arc distance of 4.52 feet (said curve having a radius of 108.81 feet, being subtended by a chord bearing South $75^{\circ}12'42''$ West, a distance of 4.52 feet) to a point on Fowler Street, said point being the TRUE POINT OF BEGINNING.

Said tract containing 0.074 acres and being more particularly shown as "Tract B" on the Survey.

Tract C

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 108 of the 17th District, Fulton County, Georgia, lying at and below elevation 896.00 feet above "MSL" (which term means Mean Sea Level as determined by reference to the most current published datum by the U.S. Coast and Geodetic Service for Atlanta, Georgia, as of the date hereof) and being contained within the area formed by the boundary lines more particularly described as follows:

COMMENCE at Monument BFC 04 lying at State Plane Coordinates Northing 1,378,194.1172 and Easting 2,223,416.8937, NAD 83 Georgia West Zone; said monument also described as being located at the intersection of the easterly right-of-way line of Northside Drive (variable right-of-way width) and the southerly right-of-way line of the Norfolk Southern Railroad (variable right-of-way width); thence run North $82^{\circ}22'15''$ East, a distance of 4,439.30 feet to a point on the northerly right-of-way line of 16th Street (variable width public roadway), said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave the northerly right-of-way line of 16th Street and run North $36^{\circ}55'06''$ East, a distance of 16.35 feet to a point; thence run North $53^{\circ}04'54''$ West, a distance of 14.49 feet to a point; thence run North $00^{\circ}00'13''$ East, a distance of 8.65 feet to a point; thence run South $89^{\circ}12'38''$ East, a distance of 1.43 feet to a point; thence run North $00^{\circ}47'22''$ East, a distance of 30.00 feet to a point; thence run North $89^{\circ}12'38''$ West, a distance of 7.74 feet to a point; thence run North $03^{\circ}21'34''$ West, a distance of 105.44 feet to a point; thence run North $02^{\circ}40'34''$ East, a distance of 52.02 feet to a point; thence run North $88^{\circ}01'22''$ East, a distance of 13.87 feet to a point; thence run North $04^{\circ}58'56''$ West, a distance of 14.53 feet to a point; thence run North $00^{\circ}15'09''$ East, a distance of 75.57 feet to a point; thence run South $85^{\circ}42'31''$ West, a distance of 28.49 feet to a point on the easterly right-of-way line of Fowler Street (variable width private roadway to be dedicated to and publicly owned by the City of Atlanta, Georgia); thence run along and coincident with the easterly right-of-way line of Fowler Street North $00^{\circ}43'06''$ East, a distance of 5.62 feet to a point on the easterly right-of-way line of Fowler Street; thence leave the easterly right-of-way line of Fowler Street



and run along the arc of a curve to the left, an arc distance of 4.52 feet (said curve having a radius of 108.81 feet, being subtended by a chord bearing North 75°12'42" East, a chord distance of 4.52 feet) to a point; thence run North 74°01'22" East, a distance of 40.25 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85 (variable right-of-way width); thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South 42°04'51" East, a distance of 56.11 feet to a point on the westerly right-of-way line of Highway I-75 & I-85; thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South 22°41'37" East, a distance of 164.56 feet to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 along the arc of a curve to the right, an arc distance of 98.87 feet (said curve having a radius of 907.93 feet, being subtended by a chord bearing South 19°30'42" East, a chord distance of 98.82 feet) to a point on the westerly right-of-way line of Interstate Highway I-75 & I-85; thence continue to run along and coincident with the westerly right-of-way line of Interstate Highway I-75 & I-85 South 21°07'45" West, a distance of 40.97 feet to a point at the intersection of the westerly right-of-way line of Interstate Highway I-75 & I-85 and the northerly right-of-way line of 16th Street; thence leave the westerly right-of-way line of Interstate Highway I-75 & I-85 and run along and coincident with the northerly right-of-way line of 16th Street North 89°16'54" West, a distance of 46.58 feet to a point on the northerly right-of-way line of 16th Street; thence continue to run along and coincident with the northerly right-of-way line of 16th Street South 00°43'07" West, a distance of 0.85 feet to a point on the northerly right-of-way line of 16th Street; thence continue to run along and coincident with the northerly right-of-way line of 16th Street North 89°16'54" West, a distance of 89.00 feet to a point on the northerly right-of-way line of 16th Street, said point being the TRUE POINT OF BEGINNING.

Said tract containing 0.785 acres and being more particularly shown as "Tract C" on the Survey.

RCS# 564
9/20/10
3:06 PM

Atlanta City Council

REGULAR SESSION

10-O-1689

AUTH.MAYOR TO EXECUTE DOCUMENTS ACCEPT
THE DEDICATION OF FIRE STATION
ADOPT ON SUB

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	B Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	B Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-O-1689

RCS# 563
9/20/10
3:05 PM

Atlanta City Council

REGULAR SESSION

10-O-1689

AUTH.MAYOR TO EXECUTE DOCUMENTS ACCEPT
THE DEDICATION OF FIRE STATION
BRING SUB FWD

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	B Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	B Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-O-1689