

12-0-0102

(Do Not Write Above This Line)

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO WAIVE THE REQUIREMENTS OF THE CITY CODE SECTION 2-1541(D) OF THE PROCUREMENT AND REAL ESTATE CODE, TO ACCEPT FROM THE ATLANTA INDEPENDENT SCHOOL SYSTEM AKA ATLANTA PUBLIC SCHOOLS ("APS") A TRAIL EASEMENT OF APPROXIMATELY 0.642 ACRES LOCATED ON THE BECHER ELEMENTARY SCHOOL PROPERTY FOR THE PURPOSE OF CREATING A MULTI-USE TRAIL SPUR WHICH CONNECTS TO THE SOUTHWEST CONNECTOR TRAIL; AND OTHER PURPOSES.

ADOPTED BY

FEB 20 2012

COUNCIL

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

Date Referred: 2/6/12
 Referred To: Fin/Exec
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

First Reading
 Committee: Finance/Executive
 Date: 2-1-12
 Chair: Alan D. Pears
 Referred To: Finance/Executive

Committee: Finance/Executive
 Date: 2/15/2012
 Chair: Patricia M. Pears

Action: Fav, Adv, Hold (see rev. side)
 Other:

Members: [Signature]

Refer To: [Signature]

Committee: [Blank]
 Date: [Blank]
 Chair: [Blank]

Action: Fav, Adv, Hold (see rev. side)
 Other:

Members: [Blank]

Refer To: [Blank]

Committee

Date

Chair

Action: Fav, Adv, Hold (see rev. side)
 Other:

Members

Committee

Date

Chair

Action: Fav, Adv, Hold (see rev. side)
 Other:

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED
 FEB 20 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
 FEB 20 2012

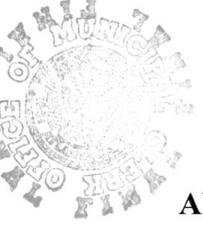
Rod Dunbar Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 29 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

12-0-0102

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE, TO WAIVE THE REQUIREMENTS OF THE CITY CODE SECTION 2-1541(D) OF THE PROCUREMENT AND REAL ESTATE CODE, TO ACCEPT FROM THE ATLANTA INDEPENDENT SCHOOL SYSTEM A/K/A ATLANTA PUBLIC SCHOOLS (“APS”) A TRAIL EASEMENT OF APPROXIMATELY 0.642 ACRES LOCATED ON THE BEECHER ELEMENTARY SCHOOL PROPERTY FOR THE PURPOSE OF CREATING A MULTI-USE TRAIL SPUR WHICH CONNECTS TO THE SOUTHWEST BELTLINE CONNECTOR TRAIL; AND OTHER PURPOSES.

WHEREAS, City of Atlanta (“City”) has the goal of providing trails for the use of its citizens and visitors as a safe venue to engage in outdoor activities free of conflicts with automobiles on the streets and rights of way; and

WHEREAS, in May 2009, through Ordinance Number 09-O-0555, the City authorized the design and construction of the Southwest BeltLine Connector Trail, as described in City Project Number 09-247 (the “Project”) to be designed and constructed by the PATH Foundation, Inc. (“PATH”) and to connect with other trails that have already been created; and

WHEREAS, the City desires to construct a trail spur to connect the Beecher Hills community and Beecher Elementary School as a part of the Southwest BeltLine Connector Trail; and

WHEREAS, the Atlanta Independent School System a/k/a Atlanta Public Schools (“APS”) has agreed to contribute an approximately 0.642 acre permanent trail easement and an approximately 1.264 acre temporary construction easement as shown in Exhibit “A” at no charge to the City of Atlanta for the construction of the trail spur through the Beecher Elementary School property; and

WHEREAS, the City agrees that this transaction is in the best interest of the City.

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

SECTION 1: The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to negotiate with Atlanta Independent School System a/k/a Atlanta Public Schools (“APS”) to accept at no charge to the City a permanent trail easement of approximately 0.642 acres and an approximately 1.264 acre temporary construction easement located along the Beecher Elementary School property, Atlanta, Georgia (“the Property”) as shown in Exhibit “A.”



SECTION 2: The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, and environmental assessments. In addition, the Chief Procurement Officer or his designee is authorized to obtain and pay for those items and services necessary to acquire the donated Property, including but not limited to title insurance, real estate service fees, closings costs and other costs of acquisition (“The City’s Due Diligence and Purchase Services”).

SECTION 3: The City’s Greenspace Acquisition Consultant, (“the Consultant”) is authorized to settle the donation of the Property. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

SECTION 4: Upon completion of the donation, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Property and shall retain the easement in perpetuity as a public trail. Nothing in this section shall preclude a neighborhood group(s) or other private entry from maintaining all or part of the property pursuant to an agreement with the City.

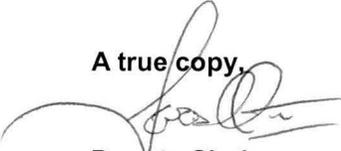
SECTION 5: The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow for the donation of the Property on behalf of the City without further authorization by the City Council.

SECTION 6: The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry out the intent of this Ordinance.

SECTION 7: The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this Ordinance.

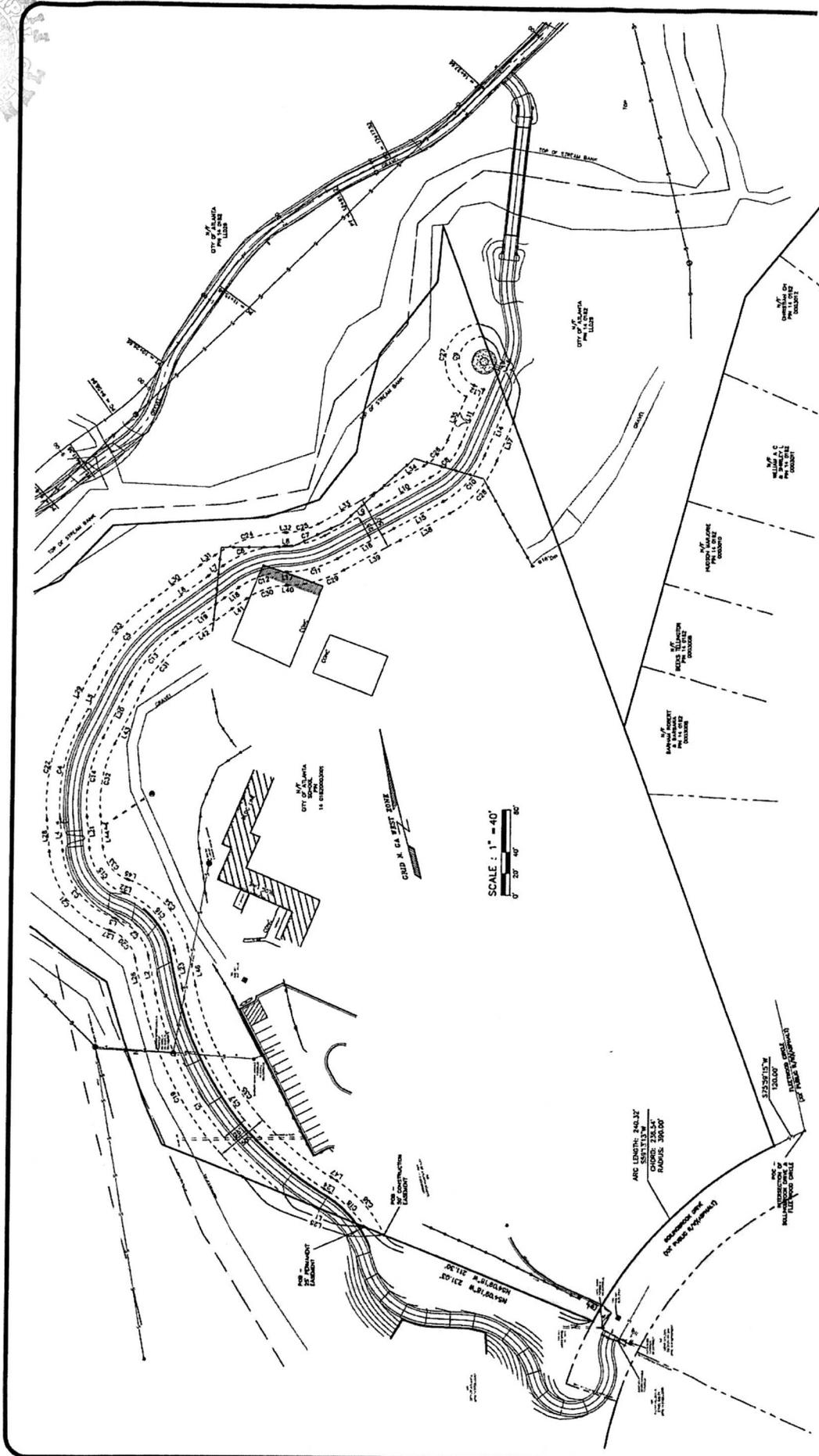
SECTION 8: Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same have been signed by the Mayor and delivered to the Developer.

SECTION 9: That 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.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

FEB 20, 2012
FEB 29, 2012



SURVEY FOR:
25' PERMANENT EASEMENT
50' CONSTRUCTION EASEMENT

REVISIONS	DATE	DESCRIPTION

INFORMATION	LOCATION
JOB NUMBER: 11129	
START DATE: 12-2-2011	
FIELD WORK DATE: 2-1-2008	
SECTION: N/A	
COUNTY: FULTON	
TOWNSHIP: N/A	
HORIZONTAL SCALE: 1" = 40'	
VERTICAL SCALE: N/A	
DRAWN BY: JAH	
CHECKED BY: JAH	
DATE PLOTTED: 2-1-2011	
SCALE: 1" = 40'	

MA **Moreland Altobelli, Associates, Inc.**
Engineering Planning Landscape Architecture Land Acquisition Surveying
221 Beaver Run Road, Suite 190
Milledgeville, Georgia 30071
770.263-5945



25' PERMANENT EASEMENT

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 182 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the intersection of the north right of way line of Bollingbrook Drive and the western right of way line of Fleetwood Circle; thence proceed South 75 degrees 59 minutes 15 seconds West for a distance of 120.00 feet to a point; thence along a curve to the left having a radius of 390.00 feet and an arc length of 240.32 feet, said arc being subtended by a chord with a bearing of South 59 degrees 13 minutes 13 seconds West and a length of 236.54 feet, to a point; thence North 54 degrees 09 minutes 18 seconds West for a distance of 231.03 feet to a point also being THE TRUE POINT OF BEGINNING; thence, proceed North 54 degrees 09 minutes 18 seconds West for a distance of 82.39 feet to a point; thence along a curve to the right having a radius of 312.50 feet and an arc length of 226.13 feet, said arc being subtended by a chord with a bearing of North 18 degrees 39 minutes 17 seconds West and a length of 221.22 feet, to a point; thence North 02 degrees 03 minutes 46 seconds East for a distance of 35.91 feet to a point; thence along a curve to the left having a radius of 47.50 feet and an arc length of 48.72 feet, said arc being subtended by a chord with a bearing of North 27 degrees 19 minutes 05 seconds West and a length of 46.61 feet, to a point; thence North 56 degrees 41 minutes 56 seconds West for a distance of 1.99 feet to a point; thence along a curve to the right having a radius of 72.50 feet and an arc length of 83.15 feet, said arc being subtended by a chord with a bearing of North 23 degrees 50 minutes 37 seconds West and a length of 78.67 feet, to a point; thence North 09 degrees 00 minutes 43 seconds East for a distance of 30.08 feet to a point; thence along a curve to the right having a radius of 162.50 feet and an arc length of 89.58 feet, said arc being subtended by a chord with a bearing of North 24 degrees 48 minutes 13 seconds East and a length of 88.45 feet, to a point; thence North 40 degrees 35 minutes 43 seconds East for a distance of 55.47 feet to a point; thence along a curve to the right having a radius of 162.50 feet and an arc length of 77.09 feet, said arc being subtended by a chord with a bearing of North 54 degrees 11 minutes 06 seconds East and a length of 76.36 feet, to a point; thence North 67 degrees 46 minutes 29 seconds East for a distance of 55.40 feet to a point; thence North 67 degrees 46 minutes 29 seconds East for a distance of 16.41 feet to a point; thence along a curve to the right having a radius of 102.50 feet and an arc length of 61.65 feet, said arc being subtended by a chord with a bearing of North 85 degrees 00 minutes 16 seconds East and a length of 60.72 feet, to a point; thence South 77 degrees 45 minutes 58 seconds East for a distance of 1.60 feet to a point; thence along a curve to the left having a radius of 77.50 feet and an arc length of 37.13 feet, said arc being subtended by a chord with a bearing of North 88 degrees 30 minutes 32 seconds East and a length of 36.78 feet, to a point; thence North 74 degrees 47 minutes 02 seconds East for a distance of 59.63 feet to a point; thence North 74 degrees 47 minutes 02 seconds East for a distance of 52.97 feet to a point; thence along a curve to the left having a radius of 62.50 feet and an arc length of 41.92 feet, said arc being subtended by a chord with a bearing of North 55 degrees 34 minutes 15 seconds East and a length of 41.14 feet, to a point; thence North 36 degrees 21 minutes 28 seconds East for a distance of 57.25 feet to a point; thence North 53 degrees 38 minutes 32 seconds West for a distance of 9.72 feet to



a point; thence along a curve to the right having a radius of 24.00 feet and an arc length of 64.63 feet, said arc being subtended by a chord with a bearing of North 23 degrees 29 minutes 58 seconds East and a length of 46.80 feet, to a point; thence South 06 degrees 21 minutes 25 seconds East for a distance of 66.53 feet to a point; thence South 36 degrees 21 minutes 28 seconds West for a distance of 53.98 feet to a point; thence along a curve to the right having a radius of 87.50 feet and an arc length of 58.68 feet, said arc being subtended by a chord with a bearing of South 55 degrees 34 minutes 15 seconds West and a length of 57.59 feet, to a point; thence South 74 degrees 47 minutes 02 seconds West for a distance of 52.97 feet to a point; thence South 74 degrees 47 minutes 02 seconds West for a distance of 59.63 feet to a point; thence along a curve to the right having a radius of 102.50 feet and an arc length of 49.11 feet, said arc being subtended by a chord with a bearing of South 88 degrees 30 minutes 32 seconds West and a length of 48.64 feet, to a point; thence North 77 degrees 45 minutes 58 seconds West for a distance of 1.60 feet to a point; thence along a curve to the left having a radius of 77.50 feet and an arc length of 46.61 feet, said arc being subtended by a chord with a bearing of South 85 degrees 00 minutes 16 seconds West and a length of 45.91 feet, to a point; thence South 67 degrees 46 minutes 29 seconds West for a distance of 16.41 feet to a point; thence South 67 degrees 46 minutes 29 seconds West for a distance of 55.40 feet to a point; thence along a curve to the left having a radius of 137.50 feet and an arc length of 65.23 feet, said arc being subtended by a chord with a bearing of South 54 degrees 11 minutes 06 seconds West and a length of 64.62 feet, to a point; thence South 40 degrees 35 minutes 43 seconds West for a distance of 55.47 feet to a point; thence along a curve to the left having a radius of 137.50 feet and an arc length of 75.79 feet, said arc being subtended by a chord with a bearing of South 24 degrees 48 minutes 13 seconds West and a length of 74.84 feet, to a point; thence South 09 degrees 00 minutes 43 seconds West for a distance of 30.08 feet to a point; thence along a curve to the left having a radius of 47.50 feet and an arc length of 54.48 feet, said arc being subtended by a chord with a bearing of South 23 degrees 50 minutes 37 seconds East and a length of 51.54 feet, to a point; thence South 56 degrees 41 minutes 56 seconds East for a distance of 1.99 feet to a point; thence along a curve to the right having a radius of 72.50 feet and an arc length of 74.35 feet, said arc being subtended by a chord with a bearing of South 27 degrees 19 minutes 05 seconds East and a length of 71.14 feet, to a point; thence South 02 degrees 03 minutes 46 seconds West for a distance of 35.91 feet to a point; thence along a curve to the left having a radius of 287.50 feet and an arc length of 236.08 feet, said arc being subtended by a chord with a bearing of South 21 degrees 26 minutes 56 seconds East and a length of 229.51 feet, to a point; thence South 44 degrees 58 minutes 25 seconds East for a distance of 5.97 feet to a point; thence along a curve to the right having a radius of 102.50 feet and an arc length of 46.50 feet, said arc being subtended by a chord with a bearing of South 31 degrees 58 minutes 35 seconds East and a length of 46.10 feet, to a point and The True Point of Beginning.

Containing within said bounds 0.642 acres (27,969 square feet) more or less.



50' TEMPORARY EASEMENT

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 182 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the intersection of the north right of way line of Bollingbrook Drive and the western right of way line of Fleetwood Circle; thence proceed South 75 degrees 59 minutes 15 seconds West for a distance of 120.00 feet to a point; thence along a curve to the left having a radius of 390.00 feet and an arc length of 240.32 feet, said arc being subtended by a chord with a bearing of South 59 degrees 13 minutes 13 seconds West and a length of 236.54 feet, to a point; thence North 54 degrees 09 minutes 18 seconds West for a distance of 211.30 feet to a point also being THE TRUE POINT OF BEGINNING; thence, proceed North 54 degrees 09 minutes 18 seconds West for a distance of 142.09 feet to a point; thence along a curve to the right having a radius of 325.00 feet and an arc length of 196.42 feet, said arc being subtended by a chord with a bearing of North 15 degrees 14 minutes 21 seconds West and a length of 193.44 feet, to a point; thence North 02 degrees 03 minutes 46 seconds East for a distance of 35.91 feet to a point; thence along a curve to the left having a radius of 35.00 feet and an arc length of 35.90 feet, said arc being subtended by a chord with a bearing of North 27 degrees 19 minutes 05 seconds West and a length of 34.34 feet, to a point; thence North 56 degrees 41 minutes 56 seconds West for a distance of 1.99 feet to a point; thence along a curve to the right having a radius of 85.00 feet and an arc length of 97.48 feet, said arc being subtended by a chord with a bearing of North 23 degrees 50 minutes 37 seconds West and a length of 92.23 feet, to a point; thence North 09 degrees 00 minutes 43 seconds East for a distance of 30.08 feet to a point; thence along a curve to the right having a radius of 175.00 feet and an arc length of 96.47 feet, said arc being subtended by a chord with a bearing of North 24 degrees 48 minutes 13 seconds East and a length of 95.25 feet, to a point; thence North 40 degrees 35 minutes 43 seconds East for a distance of 55.47 feet to a point; thence along a curve to the right having a radius of 175.00 feet and an arc length of 83.01 feet, said arc being subtended by a chord with a bearing of North 54 degrees 11 minutes 06 seconds East and a length of 82.24 feet, to a point; thence North 67 degrees 46 minutes 29 seconds East for a distance of 55.40 feet to a point; thence North 67 degrees 46 minutes 29 seconds East for a distance of 16.41 feet to a point; thence along a curve to the right having a radius of 115.00 feet and an arc length of 69.16 feet, said arc being subtended by a chord with a bearing of North 85 degrees 00 minutes 16 seconds East and a length of 68.13 feet, to a point; thence South 77 degrees 45 minutes 58 seconds East for a distance of 1.60 feet to a point; thence along a curve to the left having a radius of 65.00 feet and an arc length of 31.14 feet, said arc being subtended by a chord with a bearing of North 88 degrees 30 minutes 32 seconds East and a length of 30.84 feet, to a point; thence North 74 degrees 47 minutes 02 seconds East for a distance of 59.63 feet to a point; thence North 74 degrees 47 minutes 02 seconds East for a distance of 52.97 feet to a point; thence along a curve to the left having a radius of 50.00 feet and an arc length of 33.53 feet, said arc being subtended by a chord with a bearing of North 55 degrees 34 minutes 15 seconds East and a length of 32.91 feet, to a point; thence North 36 degrees 21 minutes 28 seconds East for a distance of 44.85 feet to a point; thence along a curve to the right having a radius of 36.50 feet and an arc length of



EXHIBIT A
Page 5 of 5

91.73 feet, said arc being subtended by a chord with a bearing of North 22 degrees 43 minutes 38 seconds East and a length of 69.43 feet, to a point; thence South 06 degrees 21 minutes 25 seconds East for a distance of 97.83 feet to a point; thence South 36 degrees 21 minutes 28 seconds West for a distance of 40.45 feet to a point; thence along a curve to the right having a radius of 100.00 feet and an arc length of 67.07 feet, said arc being subtended by a chord with a bearing of South 55 degrees 34 minutes 15 seconds West and a length of 65.82 feet, to a point; thence South 74 degrees 47 minutes 02 seconds West for a distance of 52.97 feet to a point; thence South 74 degrees 47 minutes 02 seconds West for a distance of 59.63 feet to a point; thence along a curve to the right having a radius of 115.00 feet and an arc length of 55.10 feet, said arc being subtended by a chord with a bearing of South 88 degrees 30 minutes 32 seconds West and a length of 54.57 feet, to a point; thence North 77 degrees 45 minutes 58 seconds West for a distance of 1.60 feet to a point; thence along a curve to the left having a radius of 65.00 feet and an arc length of 39.09 feet, said arc being subtended by a chord with a bearing of South 85 degrees 00 minutes 16 seconds West and a length of 38.51 feet, to a point; thence South 67 degrees 46 minutes 29 seconds West for a distance of 16.41 feet to a point; thence South 67 degrees 46 minutes 29 seconds West for a distance of 55.40 feet to a point; thence along a curve to the left having a radius of 125.00 feet and an arc length of 59.30 feet, said arc being subtended by a chord with a bearing of South 54 degrees 11 minutes 06 seconds West and a length of 58.74 feet, to a point; thence South 40 degrees 35 minutes 43 seconds West for a distance of 55.47 feet to a point; thence along a curve to the left having a radius of 125.00 feet and an arc length of 68.90 feet, said arc being subtended by a chord with a bearing of South 24 degrees 48 minutes 13 seconds West and a length of 68.04 feet, to a point; thence South 09 degrees 00 minutes 43 seconds West for a distance of 30.08 feet to a point; thence along a curve to the left having a radius of 35.00 feet and an arc length of 40.14 feet, said arc being subtended by a chord with a bearing of South 23 degrees 50 minutes 37 seconds East and a length of 37.98 feet, to a point; thence South 56 degrees 41 minutes 56 seconds East for a distance of 1.99 feet to a point; thence along a curve to the right having a radius of 85.00 feet and an arc length of 87.17 feet, said arc being subtended by a chord with a bearing of South 27 degrees 19 minutes 05 seconds East and a length of 83.40 feet, to a point; thence South 02 degrees 03 minutes 46 seconds West for a distance of 35.91 feet to a point; thence along a curve to the left having a radius of 275.00 feet and an arc length of 225.82 feet, said arc being subtended by a chord with a bearing of South 21 degrees 26 minutes 56 seconds East and a length of 219.53 feet, to a point; thence South 44 degrees 58 minutes 25 seconds East for a distance of 5.97 feet to a point; thence along a curve to the right having a radius of 115.00 feet and an arc length of 68.35 feet, said arc being subtended by a chord with a bearing of South 27 degrees 56 minutes 47 seconds East and a length of 67.35 feet, to a point and The True Point of Beginning.

Containing within said bounds 1.264 acres (55,074 square feet) more or less.

RCS# 1751
2/20/12
2:22 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
MONDAY, FEBRUARY 20, 2012
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 2

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	02-20-12 ITEMS ADVERSED ON CONSENT
1. 12-O-0112 2. 12-O-0103 3. 12-O-0104 4. 12-O-0105 5. 12-O-0093 6. 12-O-0094 7. 12-O-0098 8. 12-O-0100 9. 12-O-0101 10. 12-O-0102 11. 12-O-0153 12. 12-O-0204 13. 12-O-0205 14. 12-O-0207 15. 12-O-0215 16. 12-R-0155 17. 12-R-0203 18. 12-R-0187 19. 12-R-0201 20. 12-R-0202 21. 12-R-0195 22. 12-R-0197 23. 11-R-0198 24. 12-R-0199 25. 12-R-0213 26. 12-R-0214 27. 12-R-0220 28. 12-R-0191 29. 12-R-0193 30. 12-R-0161 31. 12-R-0162 32. 12-R-0163 33. 12-R-0164 34. 12-R-0165 35. 12-R-0166	36. 12-R-0167 37. 12-R-0168 38. 12-R-0169 39. 12-R-0170 40. 12-R-0171 41. 12-R-0172 42. 12-R-0173 43. 12-R-0174 44. 12-R-0175	45. 12-R-0176 46. 12-R-0177 47. 12-R-0178 48. 12-R-0179 49. 12-R-0180 50. 12-R-0181 51. 12-R-0182 52. 12-R-0183 53. 12-R-0184 54. 12-R-0185 55. 12-R-0186