

#12

12-R-0214

A RESOLUTION BY COUNCILMEMBER HOWARD SHOOK AN RESOLUTION CONSENTING TO THE EXPANSION OF THE BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE EXPANDED BOUNDARIES; AND FOR OTHER PURPOSES

ADOPTED BY

FEB 2 0 2012

COUNCIL

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1ST ADOPT 2ND READ & REFER
 - PERSONAL PAPER REFER
- Date Referred: 2/6/12
 Referred To: Finance / EREC
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:
 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee Finance / Recreation
 Date 2/15/2012
 Chair Dennis A. Price
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

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

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

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

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

CERTIFIED
 FEB 2 0 2012
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 FEB 2 0 2012
 Ronald D. Baskin
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 FEB 2 9 2012
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



12-R-0214

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION BY: COUNCILMEMBER HOWARD SHOOK

HS

A RESOLUTION CONSENTING TO THE EXPANSION OF THE BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE EXPANDED BOUNDARIES; AND FOR OTHER PURPOSES.

WHEREAS, by Act of the Legislature, Ga. L. 1991, p. 3653, as amended, the Georgia Legislature enacted the Atlanta Community Improvement District Act; and

WHEREAS, pursuant to said Act, the Buckhead Community Improvement District (hereinafter "BCID") was created by Resolution of the Atlanta City Council and approved by the Mayor on July 12, 1999; and

WHEREAS, the BCID seeks to expand its boundaries to include the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority real property in the Georgia State Route 400 right of way between Loridans Drive and Interstate 85 into the BCID; and

WHEREAS, the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority have consented to the inclusion into the BCID of their real property in the Georgia State Route 400 right of way between Loridans Drive and Interstate 85, so accordingly a majority of the owners of real property within a proposed expansion area as shown on the map attached hereto as Exhibit "A", and incorporated by reference herein, which



would be subject to taxes, fees, and assessments levied by the District Board had they not been tax exempt, have consented in writing to their inclusion into the BCID with boundaries as shown on said map; and

WHEREAS, the owners of real property within said proposed expansion area of the BCID which constitutes at least 75% by value of all real property within said expansion area which would be subject to taxes, fees, and assessments levied by the Board had they not been tax exempt, according to the most recent County ad valorem tax digest, have consented in writing to their inclusion into the BCID with boundaries as shown on said map; and

WHEREAS, the Atlanta City Council has determined that the expansion of the BCID would be in the best interest of the citizens of Atlanta;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Atlanta, Georgia that the City of Atlanta consents to the expansion of the boundaries of the BCID to include the properties owned by the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority in the Georgia State Route 400 right of way between Loridans Drive and Interstate 85, and as shown shown in Exhibit "A", attached.

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



**RESOLUTION OF THE BUCKHEAD
COMMUNITY IMPROVEMENT DISTRICT BOARD
CONSENTING TO EXPANSION OF THE
BUCKHEAD COMMUNITY IMPROVEMENT DISTRICT**

WHEREAS, by Act of the Legislature, Ga. L. 1991, p. 3653, as amended, the Legislature enacted the Atlanta Community Improvement District Act; and

WHEREAS, pursuant to said Act, the Buckhead Community Improvement District (hereinafter "BCID") was created by Resolution of the Atlanta City Council and approved by the Mayor on July 12, 1999; and

WHEREAS, the BCID seeks to expand its boundaries to include the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority real property in the Georgia State Route 400 right of way between Loridans Drive and Interstate 85 into the BCID; and

WHEREAS, the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority have consented to the inclusion into the BCID of their real property in the Georgia State Route 400 right of way between Loridans Drive and Interstate 85, so accordingly the majority of the owners of real property within a proposed expansion area as shown on the map attached hereto as Exhibit "A" which would be subject to taxes, fees, and assessments levied by the District Board had they not been tax exempt, have consented in writing to their inclusion into the BCID; and

WHEREAS, the owners of real property within said proposed expansion area of the BCID which constitutes at least 75% by value of all real property within said expansion area which would be subject to taxes, fees, and



assessments levied by the Board had they not been tax exempt, according to the most recent County ad valorem tax digest, have consented in writing to their inclusion into the BCID; and

WHEREAS, the Buckhead Community Improvement District Board has determined that the expansion of such BCID would promote the provision of governmental services and facilities within said District; and

WHEREAS, the Buckhead Community Improvement District Board has determined that the expansion of such BCID would be in the best interest of the citizens of Atlanta;

NOW, THEREFORE, BE IT RESOLVED that the Buckhead Community Improvement District Board consents to the expansion of the boundaries of the BCID to include the properties owned by the Georgia Department of Transportation and the Metropolitan Atlanta Rapid Transit Authority in the Georgia State Route 400 right of way between Loidans Drive and Interstate 85, and as shown in Exhibit "A", attached.

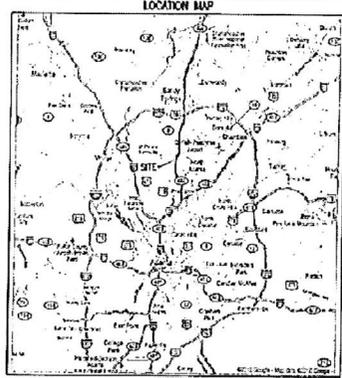
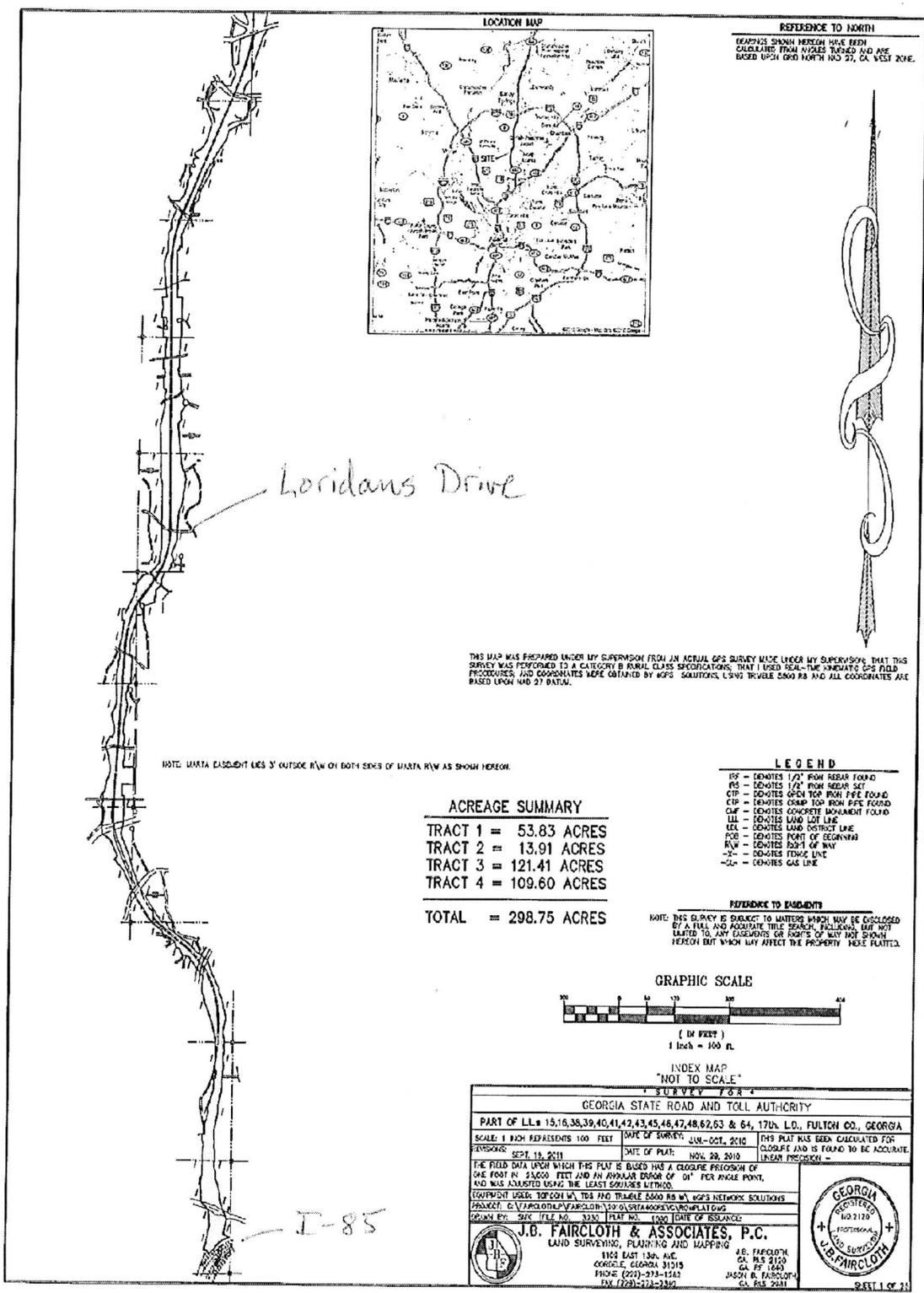
Approved this 29 day of November, 2011.

BUCKHEAD COMMUNITY IMPROVEMENT
DISTRICT BOARD

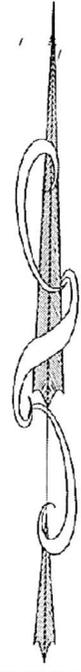
BY: David Allman
DAVID ALLMAN, CHAIRMAN



Exhibit "A"



REFERENCE TO NORTH
 BEARINGS SHOWN HEREON HAVE BEEN CALCULATED FROM AZIMUTHS TURNED AND ARE BASED UPON GRID NORTH NO. 27, G.C. WEST ZONE.



THIS MAP WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION. THAT THIS SURVEY WAS PERFORMED TO A CATEGORY B RURAL CLASS SPECIFICATIONS, THAT I USED REAL-TIME KINEMATIC GPS FIELD PROCEDURES, AND COORDINATES WERE OBTAINED BY RTK SOLUTIONS, L3NG TRIVALE 5500 RS AND ALL COORDINATES ARE BASED UPON NAD 27 DATUM.

NOTE: UTILITY EASEMENT LIES 3' OUTSIDE R/W ON BOTH SIDES OF UTILITY R/W AS SHOWN HEREON.

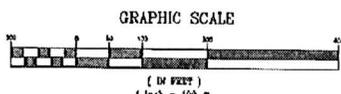
ACREAGE SUMMARY

TRACT 1 =	53.83 ACRES
TRACT 2 =	13.91 ACRES
TRACT 3 =	121.41 ACRES
TRACT 4 =	109.60 ACRES
TOTAL =	298.75 ACRES

LEGEND

- 1/2" - DENOTES 1/2" FROM REBAR FOUND
- RS - DENOTES 1/2" FROM REBAR SET
- OT - DENOTES OPEN TOP FROM PIPE FOUND
- CTP - DENOTES CONCRETE TOP FROM PIPE FOUND
- CL - DENOTES CONCRETE BOUNDARY FOUND
- LL - DENOTES LAND LOT LINE
- LDL - DENOTES LAND DISTRICT LINE
- POB - DENOTES POINT OF BEGINNING
- R/W - DENOTES RIGHT OF WAY
- X- - DENOTES FENCE LINE
- G- - DENOTES GAS LINE

REFERENCE TO EASEMENTS
 NOTE: THIS SURVEY IS SUBJECT TO MATTERS WHICH MAY BE DISCLOSED BY A TITLE AND ASSOCIATE TITLE SEARCH. EASEMENTS ARE NOT LIMITED TO ANY EASEMENTS OR RIGHTS OF WAY NOT SHOWN HEREON BUT WHICH MAY AFFECT THE PROPERTY HERE PLATTED.



INDEX MAP
 "NOT TO SCALE"

SURVEY FOR

GEORGIA STATE ROAD AND TOLL AUTHORITY

PART OF LL# 15,16,38,39,40,41,42,43,45,46,47,48,62,63 & 64, 17th L.D., FULTON CO., GEORGIA

SCALE: 1 INCH REPRESENTS 100 FEET	DATE OF SURVEY: JUN-OCT, 2010	THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE LINEAR MEASUREMENT.
REVISIONS: SEPT. 19, 2011	DATE OF PLAT: NOV. 29, 2010	

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET AND AN ANGLE ERROR OF 01" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

EQUIPMENT USED: TOPCON W4, TRIMBLE 5500 RS W/ GPS NETWORK SOLUTIONS

PROJECT: G:\FAIRCLOTH\FAIRCLOTH\330\GORTA\GORTA\GORTA\PLAT.DWG

DRAWN BY: SWK (FILE NO. 3320) PLAT NO. 1000 (DATE OF ISSUANCE)

J.B. FAIRCLOTH & ASSOCIATES, P.C.
 LAND SURVEYING, PLANNING AND MAPPING

1102 EAST 13th AVE.
 ATLANTA, GEORGIA 30315
 PHONE: (404)-973-1145
 FAX: (404)-271-2340

J.B. FAIRCLOTH
 PROFESSIONAL LAND SURVEYOR
 NO. 2110

28. FAIRCLOTH
 G.S. REG. 2120
 G.A. REG. 1245
 JASON B. FAIRCLOTH
 G.S. REG. 2241

SHEET 1 OF 21

I-85

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