

12-0-0490
 (Do Not Write Above This Line)

AN ORDINANCE BY COUNCIL MEMBER CLETA WINSLOW

Cleta Winslow

AN ORDINANCE AUTHORIZING THE CHIEF PROCUREMENT OFFICER, OR HIS DESIGNEE, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS (DPRCA), TO NEGOTIATE, IN ACCORDANCE WITH SEC. 2-1541 OF THE CITY CODE, FOR THE ACQUISITION OF FEE SIMPLE TITLE TO SEVEN PARCELS HAVING NO STREET ADDRESS BUT HAVING A FULTON COUNTY TAX IDENTIFICATION NUMBER OF 14-0140-0002-027-3; 14-0140-0002-075-2; 14-0140-0002-086-9; 14-0140-0002-010-9; 14-0140-0002-009-1; 14-0140-0002-070-3; AND 14-0140-0002-072-9 IN ORDER TO EXPAND THE BOUNDARIES OF ENOTA PLACE PARK; ALL AMOUNTS ASSOCIATED WITH THESE AUTHORIZATIONS SHALL BE CHARGED TO AND PAID FROM PARK OPPORTUNITY BOND FUND 2005a: FUND: 3129 (PARK IMPROVEMENT BOND), DEPT.: 140106 (PARKS DESIGN), ACCOUNT: 5411001 (LAND), FUNCTION ACTIVITY: 6220000 (PARK AREAS), PROJECT: 100247 (GROUND & SITE IMPROVEMENTS), FUNDING SOURCE: 21230 (2005a PARK IMPROVEMENT BOND 9999), PTAEO, PROJECT: 14100247, TASK: 101, AWARD: 312921230, EXPENSE TYPE: 5411001, ORGANIZATION: CITY OF ATLANTA; AND FOR OTHER PURPOSES.

AS SOBBY ADOPTED BY

MAY 07 2012

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

Date Referred 4/16/12

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

478187 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee HR
 Date 4/11/12
 Chair James M. Shep
 Action Subst
 Fav, Adv, Hold (see rev. side)

Members James M. Shep
James M. Shep
James M. Shep

Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)

Members _____

Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)

Members _____

Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)

Members _____

Refer To _____

Refer To _____

Refer To _____

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

FINAL COUNCIL ACTION

CERTIFIED
 MAY 07 2012
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 MAY 7 2012
 Municipal Clerk

MAYOR'S ACTION

APPROVED

MAY 16 2012

WITHOUT SIGNATURE BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

12-O-0490

AN ORDINANCE

BY COUNCIL MEMBER CLETA WINSLOW

**AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES
COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF PROCUREMENT OFFICER, OR HIS DESIGNEE, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS (DPRCA), TO NEGOTIATE, IN ACCORDANCE WITH SEC. 2-1541 OF THE CITY CODE, FOR THE ACQUISITION OF FEE SIMPLE TITLE TO SEVEN PARCELS HAVING NO STREET ADDRESS BUT HAVING A FULTON COUNTY TAX IDENTIFICATION NUMBER OF 14-0140-0002-027-3;14-0140-0002-075-2; 14-0140-0002-086-9; 14-0140-0002-010-9; 14-0140-0002-009-1; 14-0140-0002-070-3; AND 14-0140-0002-072-9 IN ORDER TO EXPAND THE BOUNDARIES OF ENOTA PLACE PARK; ALL AMOUNTS ASSOCIATED WITH THESE AUTHORIZATIONS SHALL BE IN AN AMOUNT NOT TO EXCEED THREE HUNDRED SIX THOUSAND DOLLARS AND NO CENTS (\$306,000.00) AND SHALL BE CHARGED TO AND PAID FROM PARK OPPORTUNITY BOND FUND 2005a: FUND: 3129 (PARK IMPROVEMENT BOND), DEPT.: 140106 (PARKS DESIGN), ACCOUNT: 5411001 (LAND), FUNCTION ACTIVITY: 6220000 (PARK AREAS), PROJECT: 100247 (GROUND & SITE IMPROVEMENTS), FUNDING SOURCE: 21230 (2005a PARK IMPROVEMENT BOND 9999), PTAEO, PROJECT: 14100247, TASK: 101, AWARD: 312921230, EXPENSE TYPE: 5411001, ORGANIZATION: CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, Enota Place Park is a public park operated by the DPRCA located in council district 4 adjacent to the Atlanta BeltLine.

WHEREAS, the recitations in Ordinance 03-O-0926 indicate that the City maintained Enota Place Park, for public use as a public park for many years as a leasehold and the Ordinance authorized the acquisition of Enota Place Park in fee simple; and

WHEREAS, Ordinance 09-O-1372 authorized the purchase of approximately six acres from the Trust for Public Land, or other group or individual, for the expansion of Enota Place Park which is located along the Atlanta BeltLine; and

WHEREAS, the City and/or Atlanta BeltLine, Inc. has acquired most of the parcels necessary to accomplish the expansion of Enota Place Park contemplated in Ordinance 09-O-1372; and

WHEREAS, to expand the boundaries of the Enota Place Park ("Project"), it is necessary for the City of Atlanta to negotiate with five property owners and any party having legal claim, for the acquisition of parcel #'s 6, 7, 9, 11, 12, 18 and 21, as depicted on Exhibit "A" ("Parcels"), each of which is unimproved, non-owner occupied, real property having no street frontage.



**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS, AS FOLLOWS:**

Section 1. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-027-3, depicted as parcel # 6 on Exhibit “A” hereto and as more particularly described on Exhibit “B-1”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 2. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-075-2, depicted as parcel # 11 on Exhibit “A” hereto and as more particularly described on Exhibit “B-2”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 3. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-086-9, depicted as parcel # 7 on Exhibit “A” hereto and as more particularly described on Exhibit “B-3”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 4. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-010-9, depicted as parcel # 9 on Exhibit “A” hereto and as more particularly described on Exhibit “B-4”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 5. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-009-1, depicted as parcel # 12 on Exhibit “A” hereto and as more particularly described on Exhibit “B-5”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 6. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-070-3, depicted as parcel # 18 on Exhibit “A” hereto and as more particularly described on Exhibit “B-6”**, with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 7. Pursuant to Section 2-1541 of the City Code, the Chief Procurement Officer, or his designee, is authorized to negotiate for the option to acquire good and marketable fee simple title to tax parcel identification # **14-0140-0002-072-9, depicted as parcel # 21 on Exhibit “A”**



hereto and as more particularly described on Exhibit "B-7", with each person with a legal claim to said parcel, all in connection with the Enota Place Park Project.

Section 8. The Chief Procurement Officer, or his designee, shall make every reasonable effort to acquire fee simple title to each of the Parcels by negotiation.

Section 9. The Chief Procurement Officer, or his designee, is authorized to obtain all title reports, appraisals, land surveys, if necessary, and other items deemed necessary by him to accomplish the negotiation and acquisition of the Parcels.

Section 10. The Chief Procurement Officer, or his designee, shall, before initiation of negotiation for fee simple title, allow the owner of each Parcel to accompany the appraiser during inspection of the Parcel.

Section 11. Pursuant to 2-1541(c), the Chief Procurement Officer, or his designee, shall, before initiation of negotiation for fee simple title to each Parcel, establish the amount he believes constitutes just compensation and prepare an option to purchase real estate which shall set the purchase price offered at no less, but no more than twenty percent or five hundred dollars, whichever is greater, than the fair market value of the property, which fair market value shall be based on the appraisal. The option, along with a written summary of, and a summary of the basis for, the amount he establishes as just compensation, shall be sent to the owner of each Parcel by registered or certified mail, and thereafter the chief procurement officer shall negotiate the option with the owner of each Parcel, as necessary, to obtain fee simple title to each Parcel.

Section 12. All costs related to Section 9 above, the negotiation for, and acquisition of the Parcels, as authorized by this Ordinance shall be in an amount not to exceed Three Hundred Six Thousand Dollars and No Cents (\$306,000.00) and shall be charged to and paid from Park Opportunity Bond Fund 2005a: Fund: 3129 (Park Improvement Bond), Dept.: 140106 (Parks Design), Account: 5411001 (Land), Function Activity: 6220000 (Park Areas), Project: 100247 (Ground & Site Improvements), Funding Source: 21230 (2005a Park Improvement Bond 9999), PTAE0, Project: 14100247, Task: 101, Award: 312921230, Expense Type: 5411001, Organization: City of Atlanta.

Section 13. Pursuant to Section 2-1541(d) of City Code, if there is an agreement as to the fair market value of the Parcel and the owner signs the option and Chief Procurement Officer, or his designee, signs the option on behalf of the city, the Chief Procurement Officer shall prepare a resolution for adoption by the city council and approval of the mayor, which shall authorize the acceptance of the option by the city.

A true copy,

Thanda Daughin Johnson
Municipal Clerk

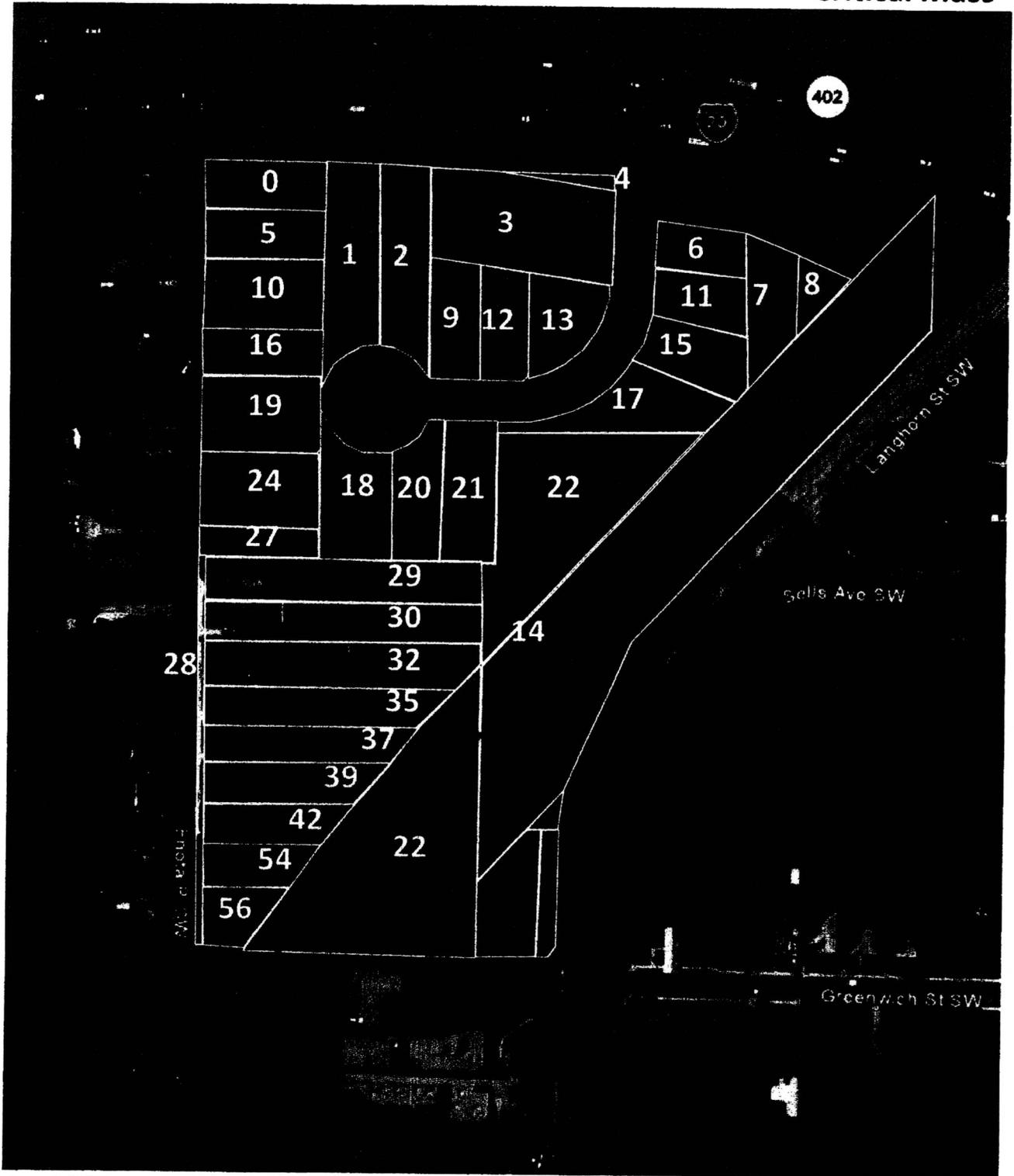
ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

May 07, 2012
May 16, 2012



tabbies
EXHIBIT
A

Enota Park Proposed Park Boundaries "Critical Mass"



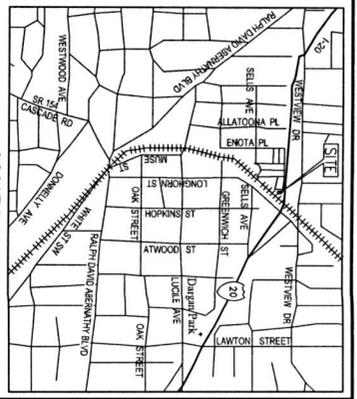
June 4, 2009

SURVEYOR'S NOTES

1. THIS PLAN IS A CORRECT REPRESENTATION OF THE LANDS PLATTED AND HAS BEEN PREPARED IN COMPLIANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW, BUT A GEORGIA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED CONCERNING CORRECT DIMENSIONS, WIDTH, AND LOCATION OF EASEMENTS AND THEIR EFFECTS ON THE PLATTED LANDS.
2. NOT ALL APPROPRIATIONS OR UTILITIES ARE SHOWN HEREON.
3. THE DATE OF FIELD WORK FOR THIS SURVEY IS MAY 29, 2010.
4. THE BASIS OF FIELD WORK FOR THIS SURVEY IS GRID NORTH PER COBB COUNTY CORRS.
5. THE SURVEY PROPERTY SHOWN HEREON IS ASSURED ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 131000000E PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THERE IS NO PRINTED PANEL.
6. THE FIELD DATA FROM WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,000 FEET AND AN AVERAGE ERROR OF 1.1 SECONDS PER ANGLE.
7. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A CLOSURE PRECISION ONE FOOT IN 115,027 FEET.
8. THE EQUIPMENT USED FOR THIS SURVEY INCLUDED A TOPCON GTS-303 TOTAL STATION.
9. THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY WHOSE NAME IS SHOWN ON THIS PLAN. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY WHO WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY INTERESTS IN THE SURVEYED SITE.
10. THE FIELD DATA FROM WHICH THIS PLAN IS BASED WAS OBTAINED BY MEANS OF ANY METHODS OR METHODS HEREON ARE INTENDED TO MEET THE GEORGIA PLAT ACT AND TECHNICAL STANDARDS OF THE OFFICIAL CODE OF GEORGIA CHAPTERS 186-1 AND 186-2 AND ARE NOT A CERTIFICATION OF TITLE OR OWNERSHIP OF PROPERTY RECORDS.
11. THE METHODS OF MEASUREMENTS AND ACCORDING TO CURRENT COUNTY RECORDS.
12. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.

ZONING: R-4
 FRONT YARD SETBACK = 15 FEET
 REAR YARD SETBACK = 15 FEET
 SIDE YARD SETBACK = 7 FEET

AREA
 13,150 S.F.
 0.302 ACRES.



SURVEY REFERENCES

1. DEED BETWEEN THE CITY OF ATLANTA AND R. E. THOMAS IN DEED BOOK 3854, PAGE 155 DATED MARCH 18, 1982.
2. DEED BETWEEN THOMAS J. HENDRICKS AND WILSON IN DEED BOOK 2868, PAGE 313 DATED JANUARY 28, 1955.
3. DEED BETWEEN T. J. HENRY AND JAMES E. CLERET IN DEED BOOK 2794, PAGE 543, DATED AUGUST 6, 1982.
4. DEED BETWEEN THOMAS J. HENDRICKS IN DEED BOOK PAGE 663, DATED MAY 17, 1982.
5. DEED BETWEEN T. J. HENRY AND RUTH W. SMIS IN DEED BOOK 2770, PAGE 662, DATED AUGUST 15, 1982.
6. DEED BETWEEN THOMAS J. HENRY AND RUTH W. SMIS IN DEED BOOK 2770, PAGE 662, DATED MAY 1, 1982.

LEGAL DESCRIPTION
 Lot 14 1401400002027 & 1401400002075
 (13,150 Sq. Ft. or 0.302 Acres)

All and singular that certain tract of land lying and being in Land Lot 140, 14th District, City of Atlanta of Fulton County, Georgia, being more particularly described as follows:

BEGNNING at a 3/4" rebar set at the intersection of the southerly right-of-way line of Chocomauga Avenue and the southerly right-of-way line of Chocomauga Avenue; thence along said southerly right-of-way line of Chocomauga Avenue South 88°37'45" East, a distance of 32.88 feet to a 3/4" rebar set on the southerly right-of-way line of Interstate 20;

THENCE along said southerly right-of-way line of Interstate 20 South 62°38'46" East, a distance of 83.12 feet to a right-of-way monument (S&S);

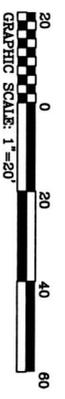
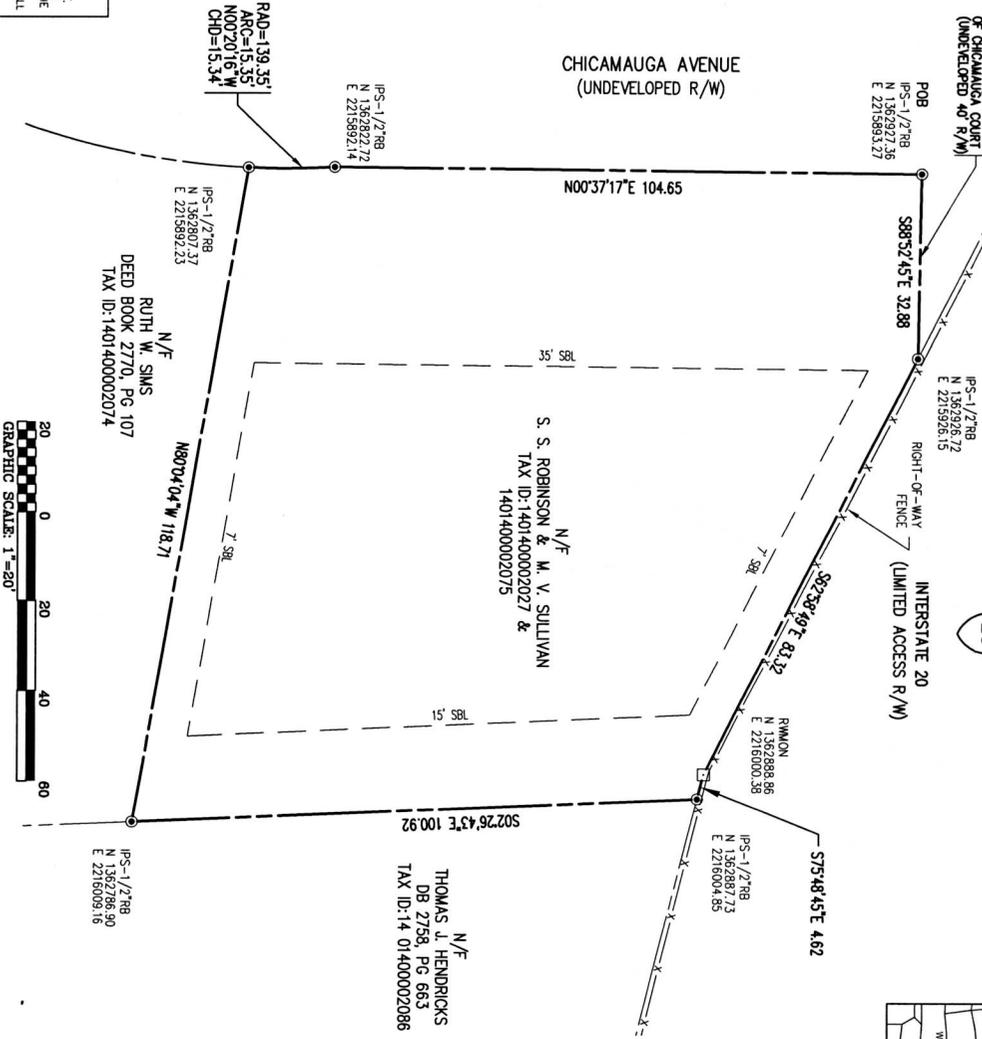
THENCE continue along said southerly right-of-way line of Interstate 20 South 75°48'45" East, a distance of 4.62 feet to a 3/4" rebar set;

THENCE bearing said southerly right-of-way line of Interstate 20 South 07°28'43" East, a distance of 100.92 feet to a 3/4" rebar set;

THENCE North 80°01'04" West, a distance of 118.71 feet to a 3/4" rebar set on the delineated southerly right-of-way line of Chocomauga Avenue;

THENCE along said southerly right-of-way line of Chocomauga Avenue along the arc of a curve to the left a distance of 15.35 feet, said curve having a radius of 139.35 feet and a chord of North 00°20'16" West, 15.34 feet, to a 3/4" rebar set;

THENCE continue along said southerly right-of-way line of Chocomauga Avenue North 00°31'17" East, a distance of 104.65 feet to a 3/4" rebar set, said point being the POINT OF BEGINNING.



PROJECT MANAGER	DATE
R. STANLEY <td>AUGUST 5, 2010 </td>	AUGUST 5, 2010

LOCATION	DATE
LAND LOT 140, 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA <td>AUGUST 5, 2010 </td>	AUGUST 5, 2010

FIELD BOOK/PAGE	SHEET NO.
FB 604, PG 20	1 OF 1

- LEGEND**
- PROPERTY LINE
 - EXISTING CREEK
 - CHAIN LINK FENCE
 - IRON FENCE
 - UNDERGROUND WATER
 - UNDERGROUND TELEPHONE
 - SANITARY SEWER
 - OVERHEAD ELECTRIC
 - UNDERGROUND GAS
 - STORM DRAIN
 - SANITARY SEWER: I/P, R/O, P&S, R/O, P&S, R/O, P&S
 - WATER VALVE: O/P, O/P, C/P, C/P, R/B, R/B
 - FIRE HYDRANT: O/P, O/P, C/P, C/P, R/B, R/B
 - DROP INLET: O/P, O/P, C/P, C/P, R/B, R/B
 - WATER METER: O/P, O/P, C/P, C/P, R/B, R/B
 - TELEPHONE MANHOLE: A/C, A/C, R/O, R/O
 - BOLLARD: R/O, R/O, P&S, P&S
 - COMPUTED POINT: R/O, R/O, P&S, P&S
 - SINGLE WING CATCH BASIN: R/O, R/O, P&S, P&S
 - DOUBLE WING CATCH BASIN: R/O, R/O, P&S, P&S
 - N/O: NOW OR FORMERLY
 - N/F: NOT FOR FURTHER
 - CLF: CHAIN LINK FENCE
 - POWER POLE
 - PHONE BOX
 - RIGHT-OF-WAY MONUMENT
 - RIGHT-OF-WAY



IF YOU DIG GEORGIA...
 CALL US FIRST!
 1-800-282-7411
 770-623-4544
 (METRO ATLANTA ONLY)
 UTILITIES THE LAW

*****CAUTION*****

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE USER'S RESPONSIBILITY TO OBTAIN ALL UTILITIES WITHIN THE LIMITS OF THE WORK'S SCOPE PRIOR TO BEGINNING UTILITIES BY THE CONTRACTOR. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

tabbies

EXHIBIT (6,11)

B-1 | B-2

Agility Surveying Co., Inc.
 Geospatial and Infrastructural Consultants
 707 WHITLOCK AVE., SUITE A-40
 WAREHITA, GA 30064
 TEL: 678-354-9025
 FAX: 678-354-9026

BOUNDARY SURVEY
 TAX ID: 1401400002027 &
 1401400002075
 FOR
CITY OF ATLANTA, SMITH REAL ESTATE SERVICES, INC., AND CHICAGO TITLE INSURANCE COMPANY

PROJECT MANAGER	DATE	DRAWN BY	CHECKED BY
R. STANLEY <td>AUGUST 5, 2010 <td>L. DE LA CRUZ <td>R. STANLEY </td></td></td>	AUGUST 5, 2010 <td>L. DE LA CRUZ <td>R. STANLEY </td></td>	L. DE LA CRUZ <td>R. STANLEY </td>	R. STANLEY

FIELD BOOK/PAGE	SHEET NO.
FB 604, PG 20	1 OF 1

SURVEYOR'S NOTES

1. THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW, BUT A GEORGINA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED FOR THE LOCATION AND LOCATION OF EASEMENTS AND THEIR TITLE QUESTIONS REVEALED BY TITLE EXAMINATION.
2. NOT ALL IMPROVEMENTS OR UTILITIES ARE SHOWN HEREON.
3. THE DATE OF FIELD WORK FOR THIS SURVEY IS JULY 29, 2010.
4. THE SHOWN EASEMENTS FOR THIS SURVEY IS 300 NORTH PER COBB COUNTY CORPS STATION "CORN".
5. THE SUBJECT PROPERTY SHOWN HEREON IS REFERENCED ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13770305E PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THERE IS NO FLOODING PRACTICABLE A COASTAL PROTECTION OF ONE FOOT IN 24 HOURS PER AN ANNUAL EXCESS OF 1 SCENARIOS PER ANGLE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO:
6. HAVE A CLOSURE PRESSION ONE FOOT IN 24 HOURS PER AN ANNUAL EXCESS OF 1 SCENARIOS PER ANGLE.
7. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO:
8. HAVE A CLOSURE PRESSION ONE FOOT IN 24 HOURS PER AN ANNUAL EXCESS OF 1 SCENARIOS PER ANGLE.
9. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR PERSONS NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR PERSONS.
10. ADULT SURVEYING CO., INC. DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTES IN THE SURVEYED SITE.
11. THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET THE GEORGINA PLAT ACT REQUIREMENTS FOR A CERTIFICATION TO TITLE OF A SURVEYOR OF PROPERTY WHO HAS NOT BEEN LICENSED BY THE STATE OF GEORGIA.
12. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.

LEGEND

- PROPERTY LINE
- GENTLE CREEK
- CHAIN LINK FENCE
- IRON FENCE
- UNDERGROUND WATER
- UNDERGROUND TELEPHONE
- SANITARY SEWER
- OVERHEAD ELECTRIC
- UNDERGROUND GAS
- STORM DRAIN
- SANITARY SEWER
- IPF IRON PIN FOUND
- IPF IRON PIN SET
- WATER VALVE
- HEADWALL
- WATER VALVE
- FIRE HYDRANT
- DROP INLET
- WATER METER
- TELEPHONE MANHOLE
- COMPUTED POINT
- SINGLE SWG CATCH BASIN
- DOUBLE SWG CATCH BASIN
- N/W NOW OR FORMERLY
- C/F CHAIN LINK FENCE
- IPF IRON PIN FOUND
- IPF IRON PIN SET
- OTF OPEN TOP PIPE
- R/W RIGHT-OF-WAY MONUMENT
- REBAR
- SIL. BUILDING SET BACK LINE
- A/C AIR CONDITIONER
- IRON PIN SET
- LIGHT POLE
- CLY WIRE
- POWER POLE
- TELEPHONE BOX
- RIGHT-OF-WAY MONUMENT

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 770-623-4544
 (MARTA STATION)
 UTILITIES PROTECTION CENTER
 IT'S THE LAW

CAUTION

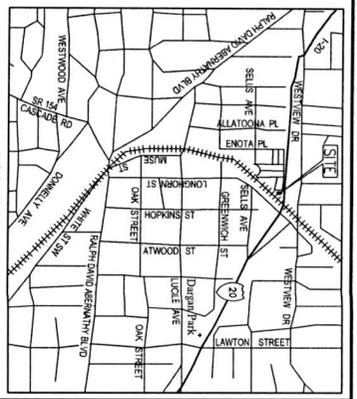
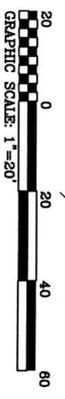
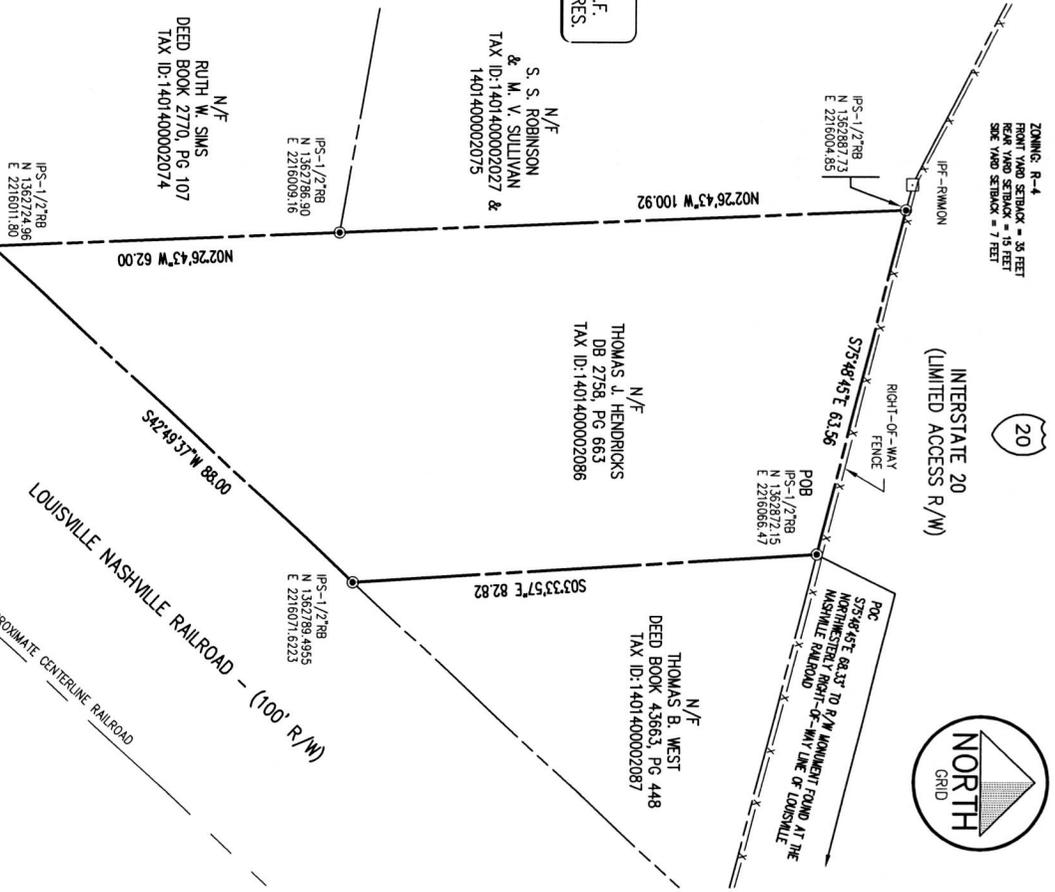
THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATION SHOWN AND IT SHALL BE THE WORKER'S RESPONSIBILITY TO VERIFY THE LOCATION OF UTILITIES BEFORE THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

AREA
 7,600 S.F.
 0.174 ACRES.

N/E
 S. S. ROBINSON
 & M. V. SULLIVAN
 TAX ID: 1401400002027 &
 1401400002075

N/E
 THOMAS J. HENDRICKS
 DB 2758, PG 663
 TAX ID: 1401400002086

N/E
 THOMAS B. WEST
 DEED BOOK 43663, PG 448
 TAX ID: 1401400002087



- SURVEY REFERENCES**
1. DEED BETWEEN THE CITY OF ATLANTA AND R. E. THOMAS IN DEED BOOK 3664, PAGE 155, DATED MARCH 16, 1962.
 2. DEED BETWEEN R. E. THOMAS AND R. E. THOMAS IN DEED BOOK 2586, PAGE 513, DATED MARCH 16, 1962.
 3. DEED BETWEEN T. J. HENRY AND JAMES E. CLBERT IN DEED BOOK 2794, PAGE 424, DATED AUGUST 6, 1952.
 4. DEED BETWEEN T. J. HENRY AND THOMAS J. HENDRICKS IN 2758, PAGE 663, DATED MAY 17, 1952.
 5. DEED BETWEEN T. J. HENRY AND RUTH W. SWEET IN DEED BOOK 2770, PAGE 07, DATED AUGUST 15, 1952.
 6. DEED BETWEEN BENJAMIN DANIEL WEST AND THOMAS B. WEST IN DEED BOOK 4063, PAGE 448, DATED SEPTEMBER 20, 2006.

LEGAL DESCRIPTION
 Tax ID: 1401400002086
 (7,600 Sq. Ft. or 0.174 Acres)

All and singular that certain tract of land lying and being in Lot 141, 140, 146 District, City of Atlanta of Fulton County, Georgia, being more particularly described as follows:

COMMENCING at a right-of-way monument found at the intersection of the northwesterly right-of-way line of Louisville Nashville Railroad (100' R/W) and the southerly right-of-way line of Interstate 20; run thence North 75°48'45" West, a distance of 63.53 feet to a 3/4" rebar set, said point being the POINT OF BEGINNING.

From the true point of beginning as thus established, bearing said southerly right-of-way line of Interstate 20 South 03°33'57" East, a distance of 62.82 feet to a 3/4" rebar set on the aforementioned northwesterly right-of-way line of Louisville Nashville Railroad.

THENCE, doing said northwesterly right-of-way line of Louisville Nashville Railroad South 42°49'37" West, a distance of 88.00 feet to a 3/4" rebar set;

THENCE, bearing said northwesterly right-of-way line of Louisville Nashville Railroad North 07°25'43" West, a distance of 62.00 feet to a 3/4" rebar set;

THENCE, North 02°26'43" West, a distance of 100.92 feet to a 3/4" rebar set on the aforementioned southerly right-of-way line of Interstate 20;

THENCE, doing said southerly right-of-way line of Interstate 20 South 75°48'45" East, a distance of 63.56 feet to a 3/4" rebar set, said point being the POINT OF BEGINNING.

tabbies
 EXHIBIT (1)
 B-3

Agility Surveying Co., Inc.
 Geospatial and Infrastructural Consultants
 707 WHITLOCK AVE. SUITE A-40
 MARIETTA GA 30064
 TEL: 678-354-9025
 FAX: 678-354-9025

BOUNDARY SURVEY
 TAX ID: 1401400002086
 FOR
CITY OF ATLANTA, SMITH REAL ESTATE SERVICES, INC., AND CHICAGO INSURANCE COMPANY

PROJECT MANAGER	DATE	DRAWN BY	CHECKED BY
R. SIMLEY <td>AUGUST 5, 2010 <td>J. DE LA CRUZ <td>R. SIMLEY </td></td></td>	AUGUST 5, 2010 <td>J. DE LA CRUZ <td>R. SIMLEY </td></td>	J. DE LA CRUZ <td>R. SIMLEY </td>	R. SIMLEY
LOCATION		FIELD BOOK/PAGE	SCALE
LAND LOT 140 14TH DISTRICT CITY OF ATLANTA FULTON COUNTY GEORGIA		FB BOOK, PG 20	1" = 20'
		PROJECT NUMBER	SHEET NO.
		01285.003.1	1 OF 1

SURVEYOR'S NOTES

1. THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS PLATED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE SURVEYING AND MAPPING ACT OF 1992 AND THE REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS REVIEWED THE RECORDS REVEALED BY TITLE EXAMINATION.
2. NOT ALL APPROPRIATIONS OR UTILITIES ARE SHOWN HEREIN.
3. THE DATE OF FIELD WORK FOR THIS SURVEY IS 08/01/2010.
4. STATION MARKS FOR THIS SURVEY ARE SHOWN HEREIN.
5. THE SUBJECT PROPERTY SHOWN HEREIN IS REFERENCED ON FLOOD INSURANCE RATE MAP, COMMUNITY FLOOD INSURANCE POLICY NUMBER 1312102006E FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THERE IS NO FLOODED PANEL.
6. THE SUBJECT PROPERTY SHOWN HEREIN IS BEING PLACED AS A CLOSED PRECISION OF POINT AND HAS BEEN CALCULATED USING THE COMPASS RULE METHOD.
7. THIS PLAT HAS BEEN CALCULATED FOR CLOSED AND HAS BEEN FOUND TO HAVE A CLOSED PRECISION ONE FOOT IN 91,915 FEET.
8. STATION AND A PERSON DATA COLLECTOR INCLUDED A TOPCON GTS-303 TOTAL STATION.
9. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREIN. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WHOSE INTERESTS ARE NOT IDENTIFIED BY THE SURVEYOR.
10. ADULT SURVEYING CO., INC. DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY METALS OR HAZARDOUS WASTES IN THE SURVEYED SITE.
11. THE SURVEYOR'S SHOW HEREIN HAS BEEN INTERVIEWED TO MEET THE GEORGIA PLAT ACT AND TECHNICAL STANDARDS OF THE OFFICE OF GEORGIA CHAPTER 180-10-01. THE SURVEYOR'S SHOW HEREIN IS SUBJECT TO THE STANDARDS OF THE SURVEYOR. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT COUNTY RECORDS.
12. THE PROPERTY SHOWN HEREIN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.

AREA
14,744 S.F.
0.338 ACRES.

- LEGEND**
- PROPERTY LINE
 - CENTERLINE CREEK
 - CHAIN LINK FENCE
 - IRON FENCE
 - UNDERGROUND WATER
 - UNDERGROUND TELEPHONE
 - SANITARY SEWER
 - OVERHEAD ELECTRIC
 - UNDERGROUND GAS
 - STORM DRAIN
 - IRON PIN FOUND
 - IRON PIN SET
 - POB POINT OF BEGINNING
 - CIP CURB TOP PIPE
 - RB REBAR
 - SBL BUILDING SET BACK LINE
 - POC POINT OF COMMENCEMENT
 - IRON PIN SET
 - LIGHT POLE
 - GUY WIRE
 - POWER POLE
 - TELEPHONE BOX
 - TELEPHONE
 - SON
 - RIGHT-OF-WAY MONUMENT
 - RIGHT-OF-WAY

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*****CAUTION*****
THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY TO VERIFY ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITIES BEFORE THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

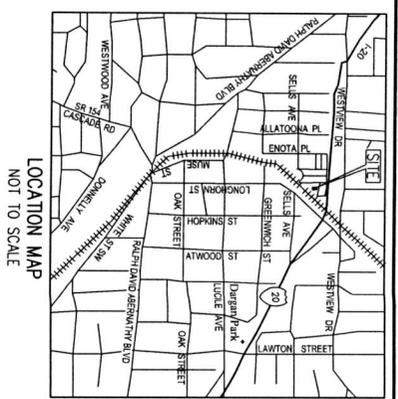
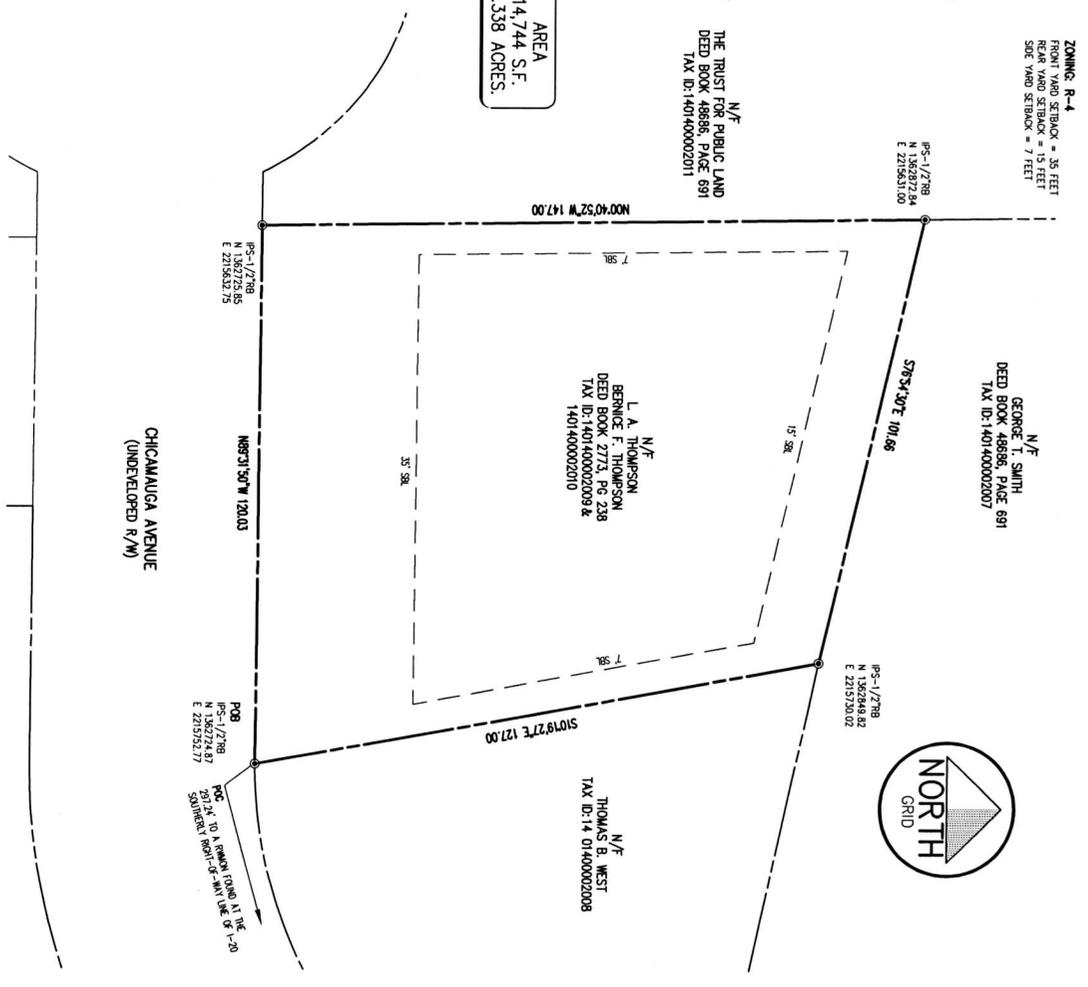
EXHIBIT
(19,12)
8-4/B-5

Agility Surveying Co., Inc.
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FAX: 678-354-9026

CITY OF ATLANTA, SMITH REAL ESTATE SERVICES, INC., AND CHICAGO TITLE INSURANCE COMPANY

BOUNDARY SURVEY
TAX ID: 1401400002009 &
1401400002010

PROJECT NUMBER	DATE	DRAWN BY	CHECKED BY
R. SIMLEY	AUGUST 5, 2010	J. DE LA CRUZ	R. SIMLEY



LEGAL DESCRIPTION
Tax ID: 1401400002009 & 1401400002010
(14,744 Sq. Ft. or 0.338 Acres)

All and singular that certain tract of land lying and being in Land Lot 140, 14th District, City of Atlanta of Fulton County, Georgia, being more particularly described as follows:

COMMENCING at a right-of-way monument found at the intersection of the southerly right-of-way line of Interstate 20 and the northerly right-of-way line of Chicamauga Avenue; thence southerly along said northerly right-of-way line of Chicamauga Avenue a distance of 297.24 feet to a 3/4" rebar set, said point being the POINT OF BEGINNING.

From the true point of beginning as thus established, run thence along said northerly right-of-way line of Chicamauga Avenue North 89°31'57" West, a distance of 120.03 feet to a 3/4" rebar set.

THENCE leaving said northerly right-of-way line of Chicamauga Avenue North 00°40'52" West, a distance of 147.00 feet to a 3/4" rebar set.

THENCE South 78°54'30" East, a distance of 101.86 feet to a 3/4" rebar set.

THENCE South 10°19'27" East, a distance of 127.00 feet to a 3/4" rebar set on the aforementioned northerly right-of-way line of Chicamauga Avenue, said point being the POINT OF BEGINNING.

LOCATION MAP
NOT TO SCALE

SURVEY REFERENCES

1. DEED BETWEEN THE CITY OF ATLANTA AND R. E. THOMAS IN DEED BOOK 2773, PAGE 238, DATED JANUARY 28, 1952.
2. DEED BETWEEN EDWARD T. KEAR AND ELLIOTT WILSON IN DEED BOOK 2968, PAGE 513 DATED JANUARY 28, 1955.
3. DEED BETWEEN J. J. HENRY AND JAMES E. OLBERT IN DEED BOOK 2772, PAGE 238, DATED JULY 17, 1952.
4. DEED BETWEEN T. J. HENRY AND THOMAS J. HENRICKS IN 2758, PAGE 561, DATED JULY 17, 1952.
5. DEED BETWEEN T. J. HENRY AND JOHN W. SMITH IN DEED BOOK 2770, PAGE 107, DATED AUGUST 15, 1953.
6. DEPARTMENT OF TRANSPORTATION PROJECT 1-402-1 (3) FULTON COUNTY DATED MAY 1, 1954.
7. THE TRUST FOR PUBLIC LAND AND THE CITY OF ATLANTA IN DEED BOOK 2773, PAGE 238, DATED JANUARY 28, 1952.
8. DEED BETWEEN T. J. HENRY AND L. R. CULPIN AND L. A. THOMPSON AND BERNICE F. THOMPSON IN DEED BOOK 2773, PAGE 238, DATED AUGUST 23, 1952.

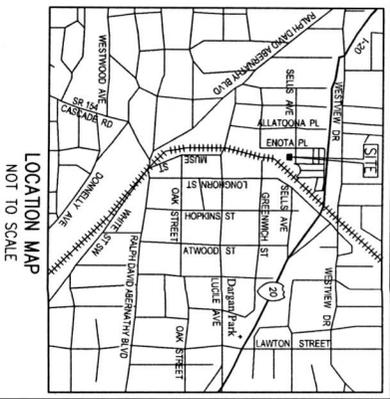
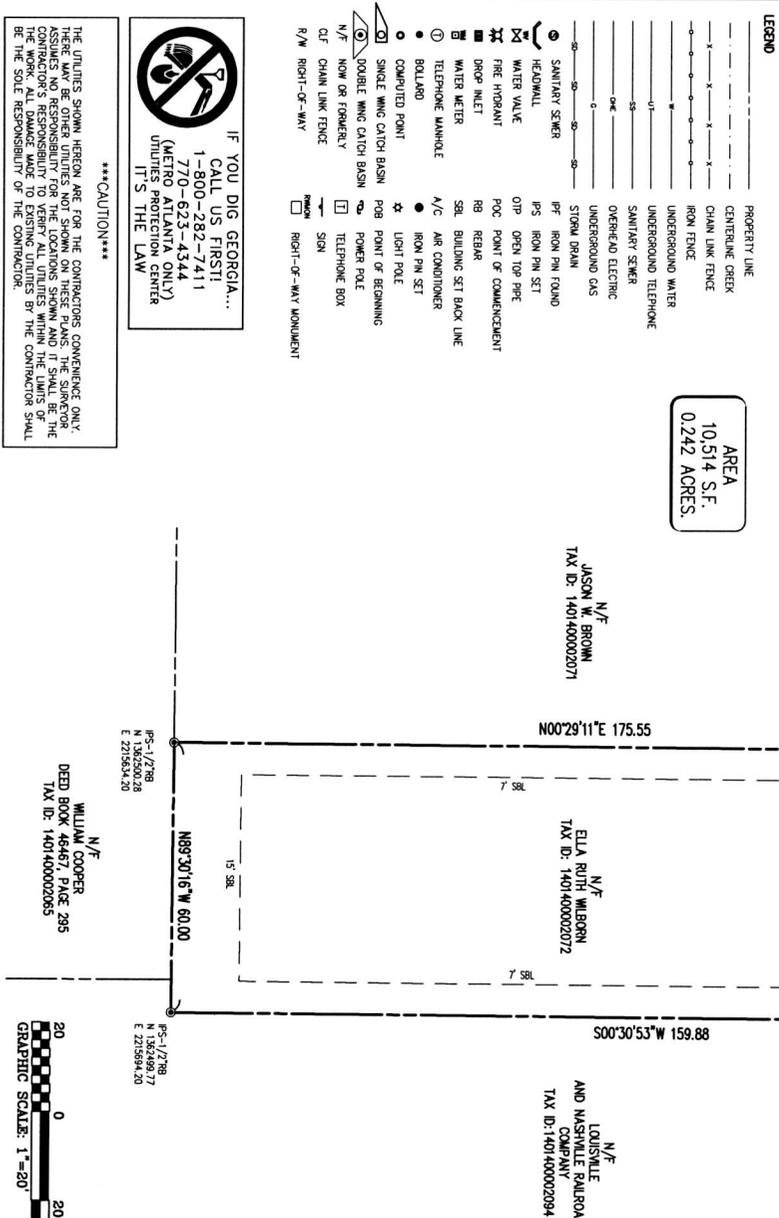


SURVEYOR'S NOTES

1. THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS PLATED AND HAS BEEN MADE FROM THE ORIGINAL SURVEY RECORDS AND DOCUMENTS OF THE SURVEYOR. THE SURVEYOR HAS REVIEWED THE RECORDS AND DOCUMENTS CONCERNING CORRECT OWNERSHIP, WIDTH, AND LOCATION OF EASEMENTS AND THEIR NOTICES REVEALED BY TITLE EXAMINATION.
2. NOT ALL IMPROVEMENTS OR UTILITIES ARE SHOWN HEREON.
3. THE BASIS OF BEASONS FOR THIS SURVEY IS 5280 MATH PER OREGON COUNTY CROSS STATION "COM".
4. THE SUBJECT PROPERTY SHOWN HEREON IS REFERENCED ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13730000E PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WHICH IS 20 FEET FROM THE CENTERLINE OF CHICAMAUGA AVENUE, WHICH IS 240 FEET AND AN ANGLE ERROR OF 1 SECOND PER ANGLE. THIS PLAT HAS BEEN CALCULATED USING THE COMPASS RULE METHOD.
5. THE EQUIPMENT USED FOR THIS SURVEY INCLUDED A TOPCON GPS-303 TOTAL STATION AND A PERSON DATA COLLECTOR.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, PERSONS, OR ENTITY.
7. QUALITY SURVEYING CO., INC. DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS OR HAZARDOUS WASTES IN THE SURVEYED SITE.
8. THE CENTERLINE OF CHICAMAUGA AVENUE WAS DETERMINED BY THE SURVEYOR THROUGH THE USE OF A TOTAL STATION AND A PERSON DATA COLLECTOR. THE CENTERLINE OF CHICAMAUGA AVENUE IS SHOWN OWNERS OF ADJACENT PROPERTIES ARE ACCORDING TO CURRENT COUNTY RECORDS.
9. PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.

ZONING R-4
 FRONT YARD SETBACK = 35 FEET
 REAR YARD SETBACK = 15 FEET
 SIDE YARD SETBACK = 7 FEET

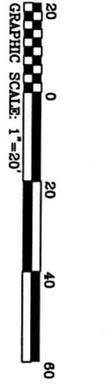
AREA
 10,514 S.F.
 0.242 ACRES.



- SURVEY REFERENCES**
1. DEED BETWEEN THE CITY OF ATLANTA AND R. E. THOMAS IN DEED BOOK 3854, PAGE 155 DATED MARCH 16, 1982.
 2. DEED BETWEEN EDWARD L. COPELAND AND ELLA RUTH WILBORN IN DEED BOOK 3854, PAGE 155 DATED MARCH 16, 1982.
 3. DEED BETWEEN T. J. HENRY AND JAMES E. OLBERT IN DEED BOOK 2794, PAGE 454, DATED AUGUST 6, 1982.
 4. DEED BETWEEN T. J. HENRY AND THOMAS L. HENDRICKS IN 2798.
 5. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 6. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 7. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 8. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 9. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 10. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 11. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.
 12. DEED BETWEEN T. J. HENRY AND RUTH W. SAMS IN DEED BOOK 2770.

LEGAL DESCRIPTION
 LOT 140, COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF CHICAMAUGA AVENUE AND THE SOUTHWESTERLY AND SOUTHERLY RIGHT-OF-WAY LINE OF CHICAMAUGA AVENUE, THENCE NORTH 07°29'11\"/>

From the true point of beginning as thus established, bearing said southerly right-of-way line of Chicamauga Avenue South 00°11'46\"/>



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CAUTION
 THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES AND ASSURES NO RESPONSIBILITY FOR THE LOCATION, DEPTH, OR CHARACTER OF THE UTILITIES SHOWN HEREON. THE CONTRACTOR SHALL VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

tabbles

EXHIBIT
 (21)
 B-7

Agility Surveying Co., Inc.
 Geospatial and Infrastructural Consultants
 707 WHITLOCK AVE., SUITE A-40
 MARIETTA, GA 30064
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 FAX: 678-354-9026

BOUNDARY SURVEY
 TAX ID: 1401400002072
 FOR
CITY OF ATLANTA, SMITH REAL ESTATE SERVICES, INC., AND CHICAGO TITLE INSURANCE COMPANY

PROJECT NUMBER	DATE	DRAWN BY	CHECKED BY
R. SMILEY	AUGUST 5, 2010	L. DE LA CRUZ	R. SMILEY
LOCATION		FIELD BOOK/PAGE	SCALE
LAND LOT 140 14TH DISTRICT CITY OF ATLANTA FULTON COUNTY GEORGIA		FB 634, PG 20	1" = 20'
		PROJECT NUMBER	SHEET NO.
		01285.003.1	1 OF 1

		05-07-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-0392	38. 12-R-0596	66. 12-R-0533
2. 12-O-0495	39. 12-R-0598	67. 12-R-0534
3. 12-O-0500	40. 12-R-0599	68. 12-R-0535
4. 12-O-0410	41. 12-R-0601	69. 12-R-0536
5. 12-O-0411	42. 12-R-0602	70. 12-R-0537
6. 12-O-0487	43. 21-R-0603	71. 12-R-0538
7. 12-O-0490	44. 12-R-0511	72. 12-R-0539
8. 12-O-0499	45. 12-R-0512	73. 12-R-0540
9. 12-O-0408	46. 12-R-0513	74. 12-R-0541
10. 12-O-0409	47. 12-R-0514	75. 12-R-0542
11. 12-O-0412	48. 12-R-0515	76. 12-R-0543
12. 12-O-0482	49. 12-R-0516	77. 12-R-0544
13. 12-O-0502	50. 12-R-0517	78. 12-R-0545
14. 12-R-0572	51. 12-R-0518	79. 12-R-0546
15. 12-R-0573	52. 12-R-0519	80. 12-R-0547
16. 12-R-0574	Items Adversed On	81. 12-R-0548
17. 12-R-0576	Consent	82. 12-R-0549
19. 12-R-0577	53. 12-R-0520	83. 12-R-0550
20. 12-R-0580	54. 12-R-0521	84. 12-R-0551
21. 12-R-0604	55. 12-R-0522	85. 12-R-0552
22. 12-R-0221	56. 12-R-0523	86. 12-R-0553
23. 12-R-0564	57. 12-R-0524	87. 12-R-0554
24. 12-R-0451	58. 12-R-0525	88. 12-R-0555
25. 12-R-0508	59. 12-R-0526	89. 12-R-0556
26. 12-R-0492	60. 12-R-0527	90. 12-R-0557
27. 12-R-0618	61. 12-R-0528	
28. 12-R-0586	62. 12-R-0529	
29. 12-R-0587	63. 12-R-0530	
30. 12-R-0588	64. 12-R-0531	
31. 12-R-0589	65. 12-R-0532	
32. 12-R-0590		
33. 12-R-0605		
34. 12-R-0606		
35. 12-R-0607		
36. 12-R-0593		
37. 12-R-0594		