

12-R-0601

(Do Not Write Above This Line)

A RESOLUTION BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED EASEMENT AGREEMENT BETWEEN AIRPORT STATION, L.L.C. AND THE CITY OF ATLANTA, GEORGIA REGARDING MUTUAL RIGHTS AND OBLIGATIONS CONCERNING APPROXIMATELY 120 ACRES OF LAND LOCATED IN LAND LOT 96 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, LAND LOT 65 OF THE 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, AND LAND LOTS 11 AND 12 OF THE 13TH DISTRICT OF CLAYTON COUNTY NEAR HARTSFIELD JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

AS AMENDED ADOPTED BY

MAY 07 2012

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

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee Transportation
Date 5-2-12
Chair DA

Action

Fav. Adv. Hold (see rev. side)
Other as amended

Members

Handwritten signatures and names: Nathan... Spring... Calla... Graham

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

Chair

Action

Fav. Adv. Hold (see rev. side)

Members

Refer To

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

CERTIFIED

CERTIFIED
MAY 07 2012

ATLANTA CITY COUNCIL PRESIDENT

Handwritten signature

CERTIFIED
MAY 7 2012

*Handwritten signature: Rod...
MAYOR'S ACTION*

MAYOR'S ACTION

APPROVED

MAY 16 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

12- R -0601

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BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED EASEMENT AGREEMENT BETWEEN AIRPORT STATION, L.L.C. AND THE CITY OF ATLANTA, GEORGIA REGARDING MUTUAL RIGHTS AND OBLIGATIONS CONCERNING APPROXIMATELY 120 ACRES OF LAND LOCATED IN LAND LOT 96 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, LAND LOT 65 OF THE 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, AND LAND LOTS 11 AND 12 OF THE 13TH DISTRICT OF CLAYTON COUNTY NEAR HARTSFIELD JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, The City of Atlanta (the “City”) entered into a purchase and property exchange transaction with Airport Station L.L.C. (“Airport Station”) on or about September 30, 2011 wherein the City purchased approximately 52.7 acres of land (the “Land”), and exchanged smaller parcels near the Ford plant as approved by City Council on September 19, 2011 by Ordinance 11-O-1252 (“Property Transaction”); and

WHEREAS, an Easement Agreement was executed by the City and Airport Station as part of the Property Transaction regarding mutual rights and obligations impacting the Land and adjacent land parcels owned by the City and Airport Station; and

WHEREAS, the Easement Agreement provided the City with an option to purchase certain tracts if Airport Station failed to complete a sale of those tracts to Porsche Cars North America (“PCNA”); and

WHEREAS, Airport Station and PCNA have reached an agreement to finalize the purchase of those certain tracts; and

WHEREAS, as a result of the impending sale, the City and Airport Station would like to clarify, amend and restate various rights and obligations in the Easement Agreement that include, among others, revised definitions, descriptions of property, and clarified obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized to execute, on behalf of the City of Atlanta, an Amended and Restated Easement Agreement to include, but is not limited to the following:

- 1) The Kimberly Avenue Easement Area is corrected to include the full legal description of the entire easement area and Airport Station’s shared maintenance expenses of the Kimberly Avenue Easement Area; and



- 2) The storm water diversion and erosion requirements shall now include specific requirements and dates for work to be completed; and
- 3) The general maintenance of the Land is now clarified to include the specific requirement of installing a security fence, clean up of southwestern concrete slopes/walls, and infield grassing by dates certain in accordance with the levels and/or standards of quality that exists at Hartsfield Jackson Atlanta International Airport.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare the Amended and Restated Easement Agreement between the City of Atlanta and Airport Station, L.L.C. and any and all other necessary documentation in furtherance thereof for execution by the Mayor.

BE IT FINALLY RESOLVED, that said Amended and Restated Easement Agreement shall not become binding upon the City, and the City shall incur no obligation or liability until same has been signed by the Mayor and delivered to Airport Station, L.L.C.

A true copy,

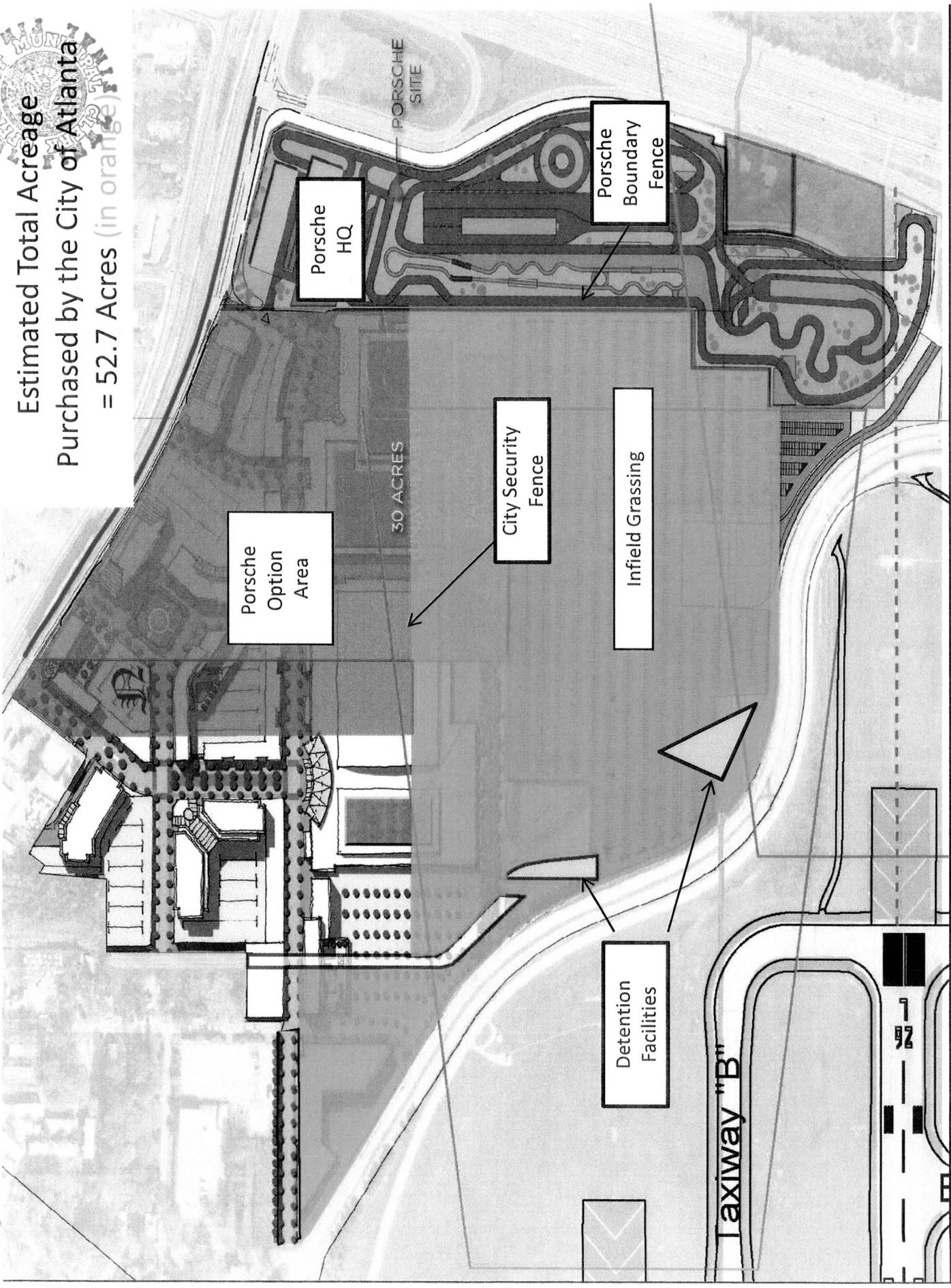
Rhanda Daughin Johnson
Municipal Clerk

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

May 07, 2012
May 16, 2012

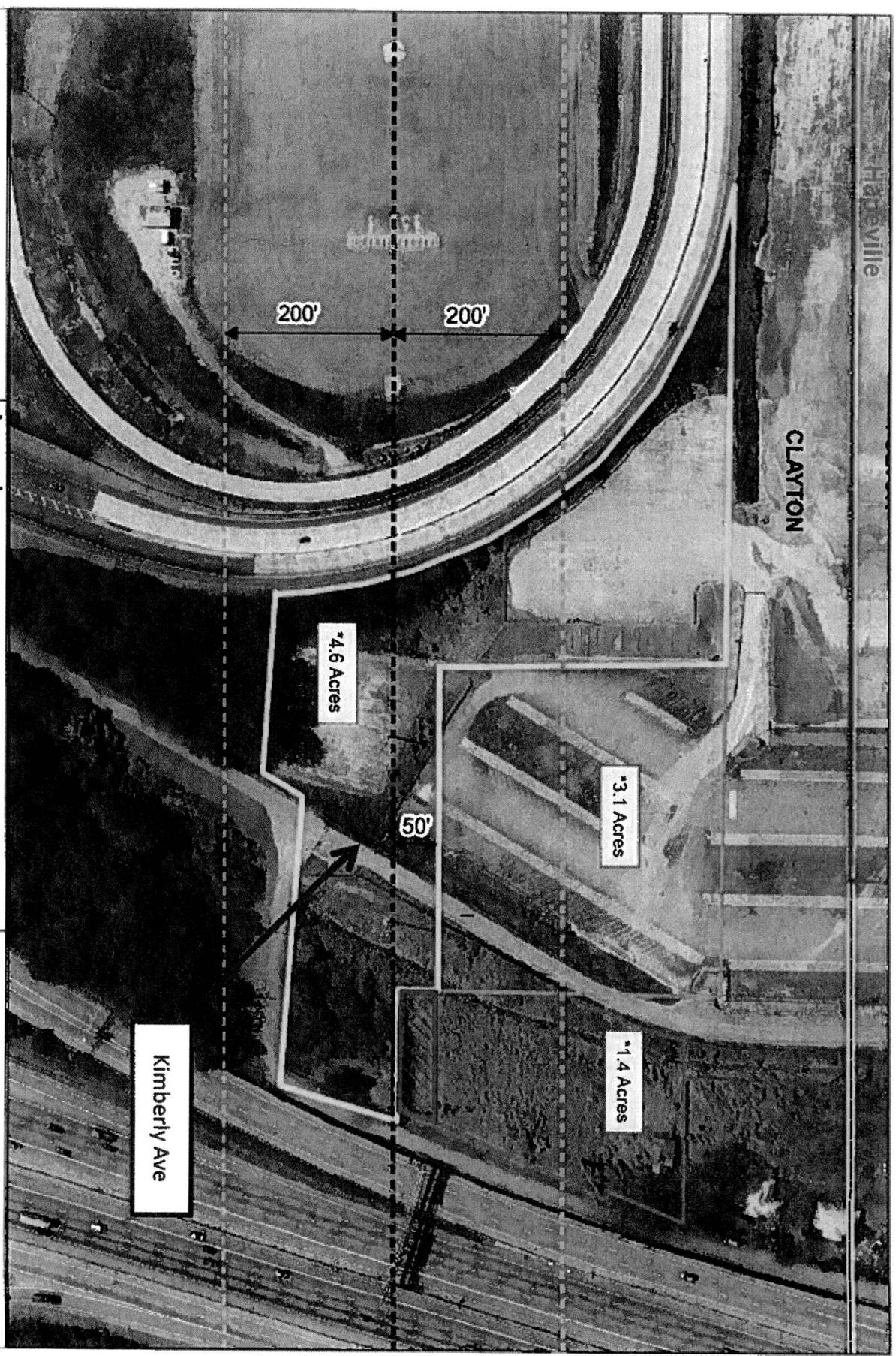


Estimated Total Acreage
 Purchased by the City of Atlanta
 = 52.7 Acres (in orange)





NOTICE: This map is prepared for informational purposes only. It is not intended to be used as a legal document. The City of Clayton is not responsible for any errors or omissions on this map. The City of Clayton is not responsible for any damages or losses resulting from the use of this map. The City of Clayton is not responsible for any actions taken based on this map. The City of Clayton is not responsible for any actions taken based on this map.



Legend

- Buyout Parcel retained by Airport Station
- Leased Parcel returned to the City
- Surplus Parcel transferred to Airport Station
- Surplus Land Retained by City
- Counties
- Cities
- 200' Buffer

* Acreage is Approximate

Attachment No: 3

		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		