

(Do Not Write Above This Line)  
**12-0-1276**

AN ORDINANCE BY  
 FINANCE AND EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND TO ACCEPT APPROXIMATELY 1.01 ACRES OF PROPERTY LOCATED ON 0 LORIDAN DRIVE ATLANTA, GEORGIA, PARCEL IDENTIFICATION NUMBER 17-0042-0003-030-8, ("THE PROPERTY"), FROM THE FULTON COUNTY / CITY OF ATLANTA LAND BANK AUTHORITY, INC. ("LBA"), IN EXCHANGE FOR THE CITY REIMBURSING THE LBA TO PERFORM QUIET TITLE FOR THE PROPERTY, AND FOR THE CITY TO PERFORM DUE DILIGENCE AND TO CLOSE THE TRANSACTION IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), FOR THE PURPOSE OF CREATING A NEW PARK IN CITY COUNCIL DISTRICT 7. COSTS SHALL BE PAID FROM THE ACCOUNT NUMBERS BELOW; AND FOR OTHER PURPOSES

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

Date Referred 10/1/12  
 Referred To: Finance/Exec  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading  
 Committee Finance/Executive  
 Date 10-16-12  
 Chair John D. Moore  
 Referred To \_\_\_\_\_

Committee Finance/Executive  
 Date 10-10-12  
 Chair John D. Moore  
 Action  Fav, Adv, Hold (see rev. side)  
 Other

Members  
[Signature]  
[Signature]  
 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 \_\_\_\_\_

**ADOPTED BY**  
OCT 15 2012  
**COUNCIL**  
 Refer To \_\_\_\_\_

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

CERTIFIED

**CERTIFIED**  
 OCT 15 2012

[Signature]  
 MUNICIPAL PRESIDENT

**CERTIFIED**  
 OCT 15 2012  
[Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

OCT 9 4 2012

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE BY  
FINANCE AND EXECUTIVE COMMITTEE

12- 0 -1276

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO NEGOTIATE FOR AND TO ACCEPT APPROXIMATELY 1.01 ACRES OF PROPERTY LOCATED ON 0 LORIDANS DRIVE ATLANTA, GEORGIA, PARCEL IDENTIFICATION NUMBER 17-0042-0003-030-8, (“THE PROPERTY”), FROM THE FULTON COUNTY / CITY OF ATLANTA LAND BANK AUTHORITY, INC. (“LBA”), IN EXCHANGE FOR THE CITY REIMBURSING THE LBA TO PERFORM QUIET TITLE FOR THE PROPERTY, AND FOR THE CITY TO PERFORM DUE DILIGENCE AND TO CLOSE THE TRANSACTION IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), FOR THE PURPOSE OF CREATING A NEW PARK IN CITY COUNCIL DISTRICT 7. COSTS SHALL BE PAID FROM THE ACCOUNT NUMBERS BELOW; AND FOR OTHER PURPOSES

**WHEREAS**, the City of Atlanta (“City”) desires to create a new park in Council District 7 on Loridans Road adjacent to the proposed Georgia 400 Trail, and such property is currently in the LBA land inventory; and

**WHEREAS**, the LBA’S parcel is approximately 1.01 acres, Parcel Identification Number 17-0042-0003-030-8 (“The Property”) (See Exhibit “A”) located on 0 Loridans Drive; and

**WHEREAS**, the LBA has agreed to convey the aforesaid Property to the City in exchange for reimbursement of the LBA’s costs to secure Quiet Title, subject to the appropriate City approval processes; and

**WHEREAS**, research by the Buckhead Heritage Society suggests a portion of the property was the Lowery & Stevens Family Cemetery and may be one of the oldest cemeteries in the city; and

**WHEREAS**, acquiring the Property is consistent with the City’s goal of greenspace acquisition, preservation and the creation of additional parks and cultural amenities.

**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 the LBA to accept approximately 1.01 acres of real



property located on 0 Loridans Drive Atlanta, Georgia, Parcel Identification Number 17-0042-0003-030-8.

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

**SECTION 3:** Reimbursing the LBA for costs of Quiet Title, and the City’s Due Diligence and Purchase Services, in an amount not to exceed twenty five thousand dollars and no cents (\$25,000.00) shall be paid from Fund GENERAL LEDGER: 3129 Park Improvement Bond; Department/Organization 140106 PRC Park Design; Account 5414002 Facilities Other Than Bldg; Function Activity 6220000 Park Areas; 100184 Lighting Improvements; Funding Source 21230 CI.2005A Park Improvement Bond 99; PTAE0: PROJECT 14100184 D02B6 LIGHTING IMPRVS; TASK 101 N12D02B69999; AWARD 312921230 2005 A PARK IMPRV BOND 9999; COA.

**SECTION 4:** Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Property and shall retain the land in perpetuity as a public park. Nothing in this ordinance shall prohibit the development of this property for uses consistent with generally accepted park activities, including but not limited to trails, playgrounds, picnic areas, parking, and gazebos. Nothing in this section shall preclude a neighborhood group(s) or other private entity from maintaining all or part of the property pursuant to an agreement with the City.

**SECTION 5:** The City’s Greenspace Acquisition Consultant, (“the Consultant”) is authorized to settle the acceptance of the Property in an amount authorized by the Chief Procurement Officer. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

**SECTION 6:** The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the acceptance of the Property on behalf of the City without further authorization by the City Council.

**SECTION 7:** 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 into effect the intent of this ordinance.

**SECTION 8:** 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 9:** 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 has been signed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney.

**SECTION 10:** 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 Municipal Clerk

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

October 15, 2012  
October 24, 2012

RCS# 2350  
10/15/12  
2:17 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I  
10/15/2012  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 2

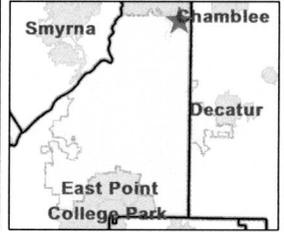
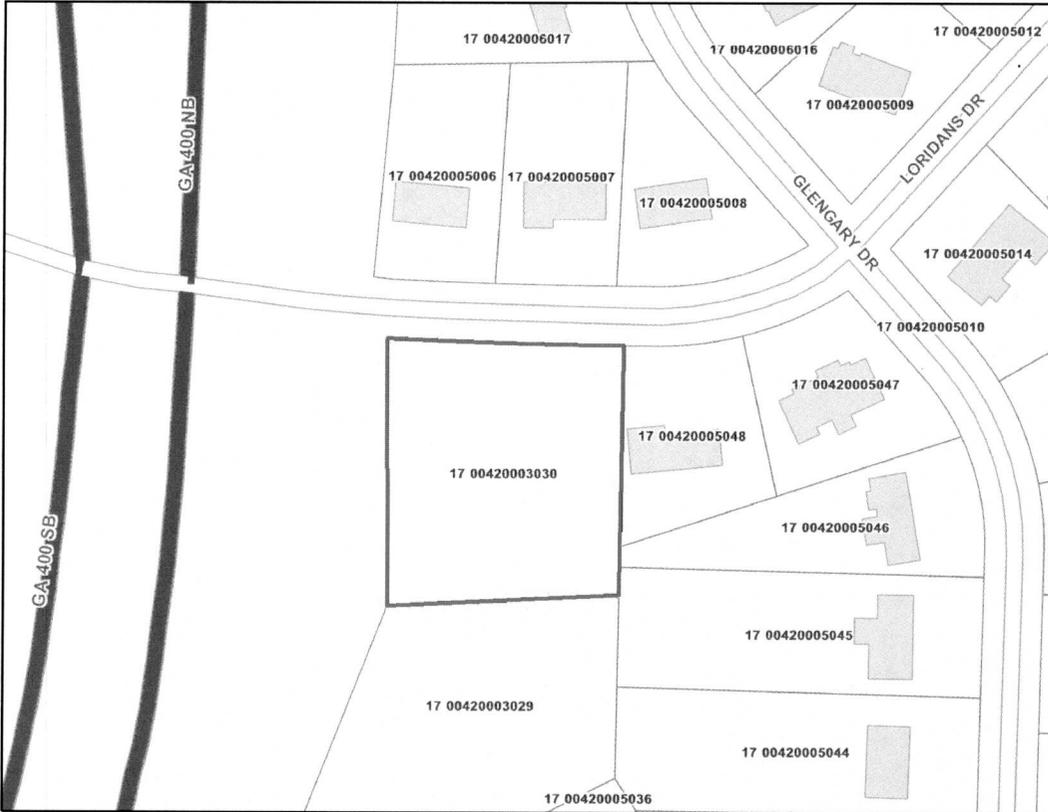
|           |             |           |            |
|-----------|-------------|-----------|------------|
| Y Smith   | Y Archibong | Y Moore   | Y Bond     |
| Y Hall    | Y Wan       | Y Martin  | B Watson   |
| Y Young   | Y Shook     | Y Bottoms | Y Willis   |
| Y Winslow | Y Adrean    | Y Sheperd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

CONSENT I

|                                 |                                 | <b>10-15-12</b>                  |
|---------------------------------|---------------------------------|----------------------------------|
| <b>ITEMS ADOPTED ON CONSENT</b> | <b>ITEMS ADOPTED ON CONSENT</b> | <b>ITEMS ADVERSED ON CONSENT</b> |
| 1. 12-O-1267                    | 35. 12-R-1348                   | 49. 12-R-1383                    |
| 2. 12-O-1400                    | 36. 12-R-1349                   | 50. 12-R-1384                    |
| 3. 12-O-1281                    | 37. 12-R-1351                   | 51. 12-R-1385                    |
| 4. 12-O-1276                    | 38. 12-R-1372                   | 52. 12-R-1386                    |
| 5. 12-O-1277                    | 39. 12-R-1373                   | 53. 12-R-1387                    |
| 6. 12-O-1399                    | 40. 12-R-1374                   | 54. 12-R-1388                    |
| 7. 12-R-0965                    | 41. 12-R-1375                   | 55. 12-R-1389                    |
| 8. 12-R-1357                    | 42. 12-R-1376                   | 56. 12-R-1390                    |
| 9. 12-R-1358                    | 43. 12-R-1377                   |                                  |
| 10. 12-R-1359                   | 44. 12-R-1378                   |                                  |
| 11. 12-R-1360                   | 45. 12-R-1379                   |                                  |
| 12. 11-R-1361                   | 46. 12-R-1380                   |                                  |
| 13. 12-R-1362                   | 47. 12-R-1381                   |                                  |
| 14. 12-R-1363                   | 48. 12-R-1382                   |                                  |
| 15. 12-R-1364                   |                                 |                                  |
| 16. 12-R-1365                   |                                 |                                  |
| 17. 12-R-1366                   |                                 |                                  |
| 18. 12-R-1367                   |                                 |                                  |
| 19. 12-R-1368                   |                                 |                                  |
| 20. 12-R-1254                   |                                 |                                  |
| 21. 12-R-1403                   |                                 |                                  |
| 22. 12-R-1338                   |                                 |                                  |
| 23. 12-R-1371                   |                                 |                                  |
| 24. 12-R-1406                   |                                 |                                  |
| 25. 12-R-1330                   |                                 |                                  |
| 26. 12-R-1332                   |                                 |                                  |
| 27. 12-R-1333                   |                                 |                                  |
| 28. 12-R-1334                   |                                 |                                  |
| 29. 12-R-1340                   |                                 |                                  |
| 30. 12-R-1341                   |                                 |                                  |
| 31. 12-R-1342                   |                                 |                                  |
| 32. 12-R-1343                   |                                 |                                  |
| 33. 12-R-1344                   |                                 |                                  |
| 34. 12-R-1345                   |                                 |                                  |



### Exhibit A Loridans Drive - LBA Parcel



#### Legend

- Points of Interest
- ▬ Streets and Highways
  - ▬ Other Limited Access
  - ▬ State Route
  - ▬ Arterial Roads
  - ▬ Streets
  - ▬ Ramps
  - ▬ Unknown
  - ▬ Interstates
- ▬ County Boundaries
- ▭ Parcels
- ▭ Building Footprints
- ▭ Airport Labels
- ▭ Airport Runways
- ▭ Runway/Apron/Taxiway
- ▬ Streams
- ▭ Ponds
- ▭ Parks
- ▭ Greenway Acquisitions
- ▭ Atlanta City Limits
- ▭ Metro Cities

Map center: 2236781, 1408671

Scale: 1:1,456



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