

#8

13-0169

Mayor Shep erf

(Do Not Write Above This Line)

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION

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

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE REQUIREMENTS CONTAINED IN SECTIONS 2-1541 (C) AND (D) OF ARTICLE X DIVISION 14 SUBDIVISION II PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO PURCHASE PROPERTY LOCATED AT METROPOLITAN PARKWAY, SW AND IDENTIFIED BY TAX PARCEL NUMBERS 14-0102-0007-041 AND 043 IN AN AMOUNT NOT TO EXCEED SIX HUNDRED THOUSAND DOLLARS AND NO CENTS (\$600,000.00), FROM MANLEY HOMES, INC., ITS SUCCESSORS OR ASSIGNS, FOR THE PURPOSE OF PROCURING THE SITE OF A PROPOSED ATLANTA POLICE PRECINCT ON BEHALF OF THE ATLANTA POLICE DEPARTMENT AND THE OFFICE OF ENTERPRISE ASSETS MANAGEMENT; TO BE CHARGED TO AND PAID FROM 3501 (GENERAL GOV. CAPITAL), DEPARTMENT 240202 (APD STATIONS & BUILDINGS), ACCOUNT 5999999 (PROJECT & GRANTS BUDGET), FUNCTION ACTIVITY 3260000 (POLICE STATIONS & BUILDINGS), PROJECT 2411140 (NEW ZONE 3 PRECINCT), GL FUNDING, 91106 (SWMA LOAN 9986/D.L.F. POLICE); AND FOR OTHER PURPOSES.

CERTIFIED
FEB 04 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
FEB 04 2013
Ronda Douglas Johnson
MUNICIPAL CLERK

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Substitute

ADOPTED BY
FEB 04 2013
COUNCIL

Date Referred: 1/22/13
Referred To: Finance/Exec

Date Referred:
Referred To:

Date Referred:

Referred To:

Committee Fin/Exec
Date 1-13-30
Chair [Signature]
Action [Signature]
Fav, Adv, Hold (see rev. side)
Other on Substitute
Members [Signature]
[Signature]
[Signature]
Refer To _____

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

MAYOR'S ACTION

APPROVED

FEB 13 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE BY
COUNCILMEMBER JOYCE M. SHEPERD

13-O-0169

AS SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE REQUIREMENTS CONTAINED IN SECTIONS 2-1541 (C) AND (D) OF ARTICLE X DIVISION 14 SUBDIVISION II PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO PURCHASE PROPERTY LOCATED AT METROPOLITAN PARKWAY, SW AND IDENTIFIED BY TAX PARCEL NUMBERS 14-0102-0007-041 AND 043 IN AN AMOUNT NOT TO EXCEED SIX HUNDRED THOUSAND DOLLARS AND NO CENTS (\$600,000.00), FROM MANLEY HOMES, INC., ITS SUCCESSORS OR ASSIGNS, FOR THE PURPOSE OF PROCURING THE SITE OF A PROPOSED ATLANTA POLICE PRECINCT ON BEHALF OF THE ATLANTA POLICE DEPARTMENT AND THE OFFICE OF ENTERPRISE ASSETS MANAGEMENT; TO BE CHARGED TO AND PAID FROM ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta Police Department ("APD") needs an additional police precinct in APD Zone 3 within the city of Atlanta; and

WHEREAS, APD and the City of Atlanta's ("City") Office of Enterprise Assets Management ("OEAM") have identified property located on Metropolitan Parkway, SW and identified by tax parcel numbers 14-0120-0007-041 and 043 and more particularly described in Exhibit A attached hereto (the "Property") as a site for the APD police precinct to be built; and

WHEREAS, the City currently holds an option to purchase the Property in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the purchase price is Ten Thousand Dollars below the appraised fair market value of the Property; and

WHEREAS, APD and OEAM desire to exercise the City's option and purchase the Property for the purpose of building an APD Zone 3 police precinct.

NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Chief Procurement Officer or his designee is hereby authorized to obtain and pay for those items and services necessary to purchase the Property, including but not limited to review surveys, title reports, title insurance, environmental



assessments, real estate service fees, cleanup, closing costs and other costs of acquisition and development.

SECTION 2: That the Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to complete negotiations with Manley Homes, Inc., its successors or assigns, to purchase the Property in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00).

SECTION 3: That Section 2-1541 (c) of Article X, Division 14, Subdivision II, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances is waived to allow for the negotiated purchase price in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00) which is Ten Thousand Dollars below the appraised fair market value of the Property.

SECTION 4: That the Chief Financial Officer is authorized to:

Transfer from Appropriations \$600,000.00

Fund: 3502 Capital Outlay Fund
Dept: 240202 (APD Police Stations and Buildings)
Expense: 5999999
Project: 24101957
Award: 350291106
Function Activity: 3260000

Transfer to Appropriations \$600,000.00

Fund: 3502 Capital Outlay Fund
Award: 350291106
Project #: 24111450 (New Zone 3 Precinct)
Dept: 240202 (APD Police Stations and Buildings)
Function Activity: 3260000
Funding Source: 91106 (APD Impact Fee)
Expense: 5411001 (Land)

SECTION 5: That the Chief Financial Officer is authorized to pay the negotiated purchase price in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00) from: Fund: 3502 Award: 350291106 Project #: 24111450 (New Zone 3 Precinct) Dept: 240202 Function Activity: 3260000 Funding Source: 91106 Expense: 5411001.

SECTION 6: That the requirements of Section 2-1541 (d), Article X, Division 14, Subdivision II, Procurement and Real Estate Code of the City of Atlanta, are hereby waived to allow the purchase of the Property on behalf of the City without further authorization by the City Council.



SECTION 7: That the Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Department of Law deems necessary or advisable in order to carry into effect the intent of this ordinance.

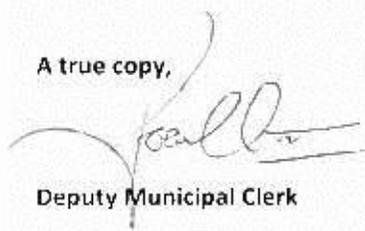
SECTION 8: That the City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

SECTION 9: That 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, and approved as to form by the City Attorney.

A true copy,

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

February 04, 2013
February 13, 2013



Deputy Municipal Clerk

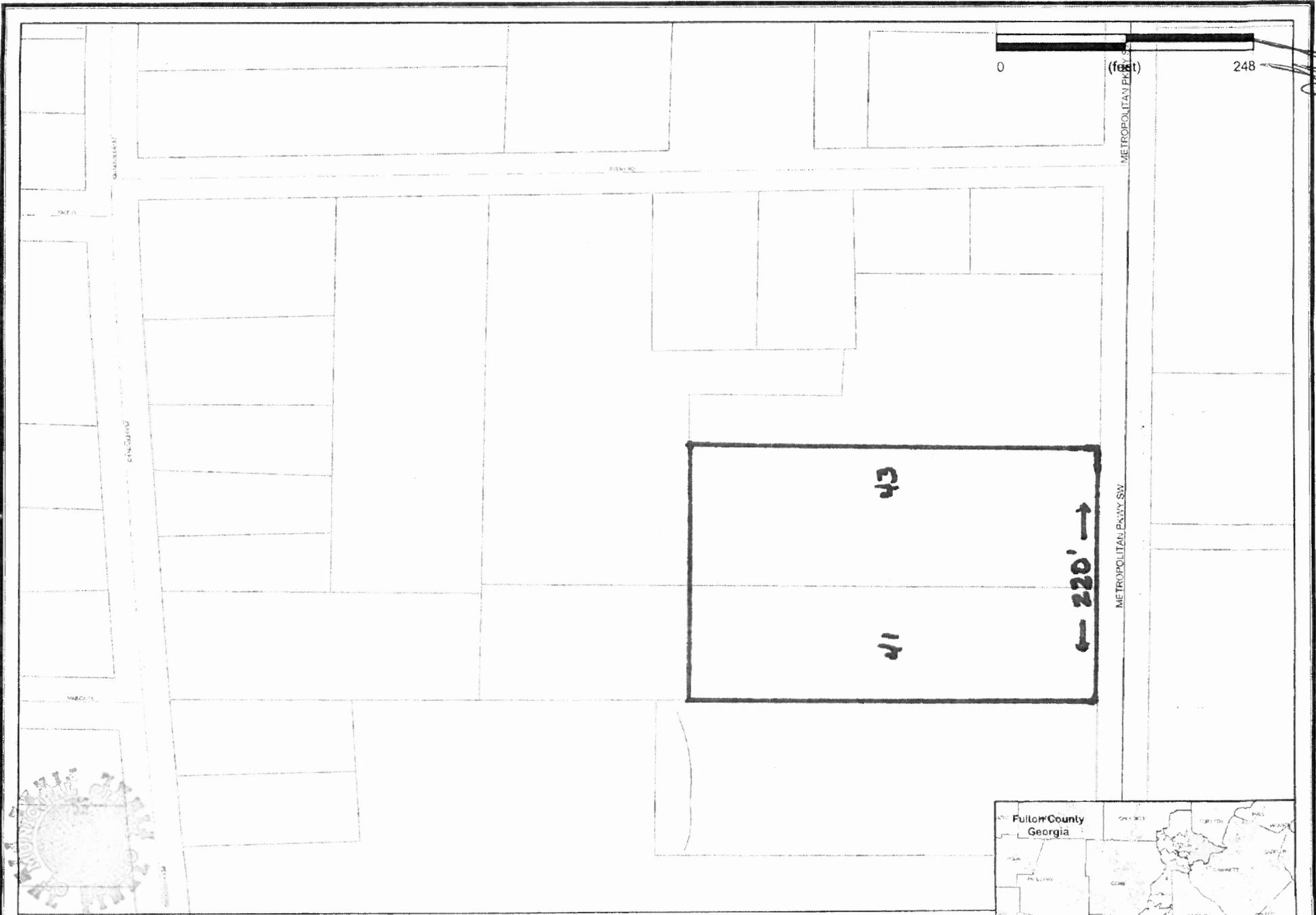


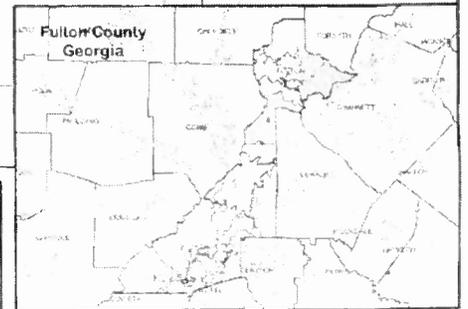
EXHIBIT A



Prepared by Fulton County Department of
 Environment and Community Development
 Support Services Division
 Geographic Information System

Date: 01.23.45

Fulton County provides the data within this page for your personal use "as is".
 The data is not guaranteed to be accurate, correct, or complete.





Duriya Farooqui
Chief Operating Officer

CITY OF ATLANTA

Facilities Management
Billy Warren, Director

Enterprise Assets Management
68 Mitchell Street, Suite 1225
Atlanta, Georgia 30303
404-330-6225 / 404-658-7787 (fax)

Real Estate Portfolio
John C. Lavelle, Director

OPTION TO PURCHASE PROPERTY

GEORGIA, FULTON COUNTY

For and in consideration of the sum of One Dollar (\$1.00), receipt whereof being hereby acknowledged, the undersigned grants to the City of Atlanta an Option to purchase two acres of the following described real estate:

A PORTION OF THAT TRACT or parcels of land lying and being in Fulton County, Georgia, and being more specifically identified as part of tax parcels # 14-0102-0007-041 and 043, Metropolitan Parkway SW, Atlanta, GA 30315, and generally shown on the plat attached hereto and made a part hereof as Exhibit "A".

For the sum of: \$600,000.00 (Six Hundred Thousand & No Dollars)

The following conditions are imposed upon the grant of this option:

- (1) This Option shall extend for 120 days from execution date and may be exercised at any time within such period by giving notice of acceptance to the undersigned.
- (2) The purchase price recited will be full payment for the acquisition of two acres of land having frontage of 220 linear feet along Metropolitan Parkway.
- (3) The undersigned shall discharge any liens against said property on or before the date of closing that may apply to this acquisition. Additional time required to secure lien holder consent will not apply towards the time limits set forth in #1 above.
- (3) This Option is based upon:
 - Receipt of a satisfactory Phase I environmental report.
 - A survey sealed by a Registered Land Surveyor, satisfactory to the seller below.
 - Adoption of the proposed sale by the City Council and approval by the Mayor of the City of Atlanta.

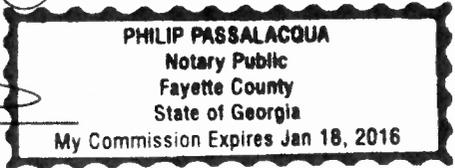
IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 26 day of November 2012.

Signed, sealed and delivered
In the presence of:

Vanessa Morehead - Evans
Unofficial Witness

By: [Signature]
Title: POA SPRETT HARBOUR DEVELOPERS, INC

[Signature]
Notary Public



By: Philip Passalacqua
Title: Notary

EXHIBIT B

RCS# 2539
2/04/13
3:44 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; 2/4/2013
EXCEPT 13-O-0025 AND 13-O-0171
ADOPT

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

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

CONSENT I

02-04-13		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-1150	35. 13-R-0176	49. 13-R-0148
2. 12-O-1428	36. 13-R-0135	50. 13-R-0149
3. 12-O-1825	37. 13-R-0136	51. 13-R-0150
4. 13-O-0026	38. 13-R-0137	52. 13-R-0151
5. 13-O-0027	39. 13-R-0138	53. 13-R-0152
6. 13-O-0021	40. 13-R-0139	54. 13-R-0153
7. 13-O-0022	41. 13-R-0140	55. 13-R-0154
8. 13-O-0023	42. 13-R-0141	56. 13-R-0155
9. 13-O-0024	43. 13-R-0142	57. 13-R-0156
10. 12-O-1674	44. 13-R-0143	58. 13-R-0157
11. 13-O-0028	45. 13-R-0144	59. 13-R-0158
12. 13-O-0029	46. 13-R-0145	60. 13-R-0159
13. 13-O-0032	47. 13-R-0146	61. 13-R-0160
14. 13-O-0165	48. 13-R-0147	62. 13-R-0161
15. 13-O-0169		
16. 13-O-0172		
17. 12-O-1761		
18. 13-O-0002		
19. 13-O-0003		
20. 13-O-0166		
21. 13-O-0168		
22. 13-R-0121		
23. 13-R-0122		
24. 13-R-0130		
25. 13-R-0131		
26. 13-R-0127		
27. 13-R-0128		
28. 13-R-0123		
29. 13-R-0124		
30. 13-R-0125		
31. 13-R-0133		
32. 13-R-0117		
33. 13-R-0118		
34. 13-R-0120		