

2809

13-1276

(Do Not Write Above This Line)

First Reading

Committee Finance/Executive  
Date 9-11-13  
Chair Yadrian  
Referred To \_\_\_\_\_

FINAL COUNCIL ACTION

2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
Readings  
 Consent  V Vote  RC Vote

AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO DECLARE CITY-OWNED  
PROPERTY LOCATED ON THE SOUTHWEST  
CORNER OF FLAT SHOALS AVENUE AND  
METROPOLITAN AVENUE IN LAND LOT 177 OF  
THE 15<sup>TH</sup> DISTRICT OF DEKALB COUNTY,  
GEORGIA AS SURPLUS; TO AUTHORIZE THE  
CHIEF PROCUREMENT OFFICER TO  
ADVERTISE FOR SEALED BIDS FOR THE  
PURCHASE OF SAID PROPERTY; AND FOR  
OTHER PURPOSES.

ADOPTED BY  
OCT 07 2013  
COUNCIL

CERTIFIED  
OCT 07 2013  
ATLANTA CITY COUNCIL PRESIDENT  
CERTIFIED  
OCT 07 2013  
Rhonda Davidson Johnson  
MUNICIPAL CLERK

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Committee Fin./Exec  
Date 10-2-13  
Chair Telicia N. Adams  
Action  
Fav, Adv, Hold (see rev. side)  
Other

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

MAYOR'S ACTION

APPROVED

OCT 16 2013

WITHOUT SIGNATURE  
BY OPERATION OF LAW

Date Referred 9/18/13  
Referred To: Finance/Exec

Date Referred \_\_\_\_\_  
Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Members  
Yadrian  
Yadrian  
Yadrian  
Refer To \_\_\_\_\_

Members \_\_\_\_\_  
Refer To \_\_\_\_\_



13-D-1276

**AN ORDINANCE BY  
FINANCE/ EXECUTIVE COMMITTEE**

**AN ORDINANCE TO DECLARE CITY-OWNED PROPERTY LOCATED ON THE SOUTHWEST CORNER OF FLAT SHOALS AVENUE AND METROPOLITAN AVENUE IN LAND LOT 177 OF THE 15<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA AS SURPLUS; TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF SAID PROPERTY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") owns property located on the southwest corner of Flat Shoals Avenue and Metropolitan Avenue which is identified in the DeKalb County tax records as tax parcel 15-177-03-020 (the "Property"); and

**WHEREAS**, based on a recent survey attached as Exhibit "A", the Property totals approximately 0.193 acres; and

**WHEREAS**, the Property was previously operated by City of Atlanta Fire Rescue Department ("AFR") as Fire Station 13; and

**WHEREAS**, a new Fire Station 13 was constructed on the northwest corner of Flat Shoals Avenue and Metropolitan Avenue and was opened in 2010; and

**WHEREAS**, the Fire Chief of AFR has determined that the Property is surplus to its needs; and

**WHEREAS**, the Office of Enterprise Assets Management recommends the Property be surplus for sale and sold by competitive sealed bid.

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

**SECTION 1:** That the City's interest in the Property is no longer needed by the City.

**SECTION 2:** That the City's interest in the Property shall be sold subject to Section 2-1572 of the Procurement and Real Estate Code, and the Chief Procurement Officer ("CPO") is hereby authorized to have said interest appraised and to advertise for bids for the sale of the City's interest, such appraisal and advertising costs to be charged to and paid from Fund: 1001 (General Fund) Department: 040417 (EXE Real Estate Portfolio) Account: 5212001 (Consulting, Professional) Activity: 1512000 (Accounting).

**SECTION 3:** That the CPO shall obtain a sealed appraisal by a certified general appraiser of the State of Georgia of the City's fee estate in the Property.



**SECTION 4:** That the CPO shall publicly advertise for sealed bids for the sale of the City's fee estate in the Property for no less than 30 days prior to the last day for receipt of bids.

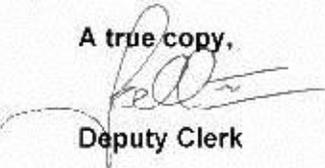
**SECTION 5:** That the sealed bids received shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for sale bids. The record of each bid received shall be open to public inspection. The CPO or his designee shall open the sealed appraisal and the highest responsible and responsive offeror's bid shall be accepted, so long as the price offered is at least equal to the appraised value of the City's fee estate in the Property.

**SECTION 6:** That bid security shall be required for all sealed bids submitted, which security shall be a bond provided by a surety company authorized to do business in the state, or the equivalent in cash or certified check, and in an amount equal to at least ten percent of the amount of the bid. Unsuccessful offerors shall be returned their bid security.

**SECTION 7:** That Section 2-1572(c) (3) a. is hereby waived which requires that the CPO obtain a land survey since one was recently completed.

**SECTION 8:** This ordinance shall become effective when signed by the Mayor or by operation of law.

A true copy,

  
Deputy Clerk

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

OCT 07, 2013  
OCT 16, 2013



GRID NORTH  
GEORGIA WEST ZONE

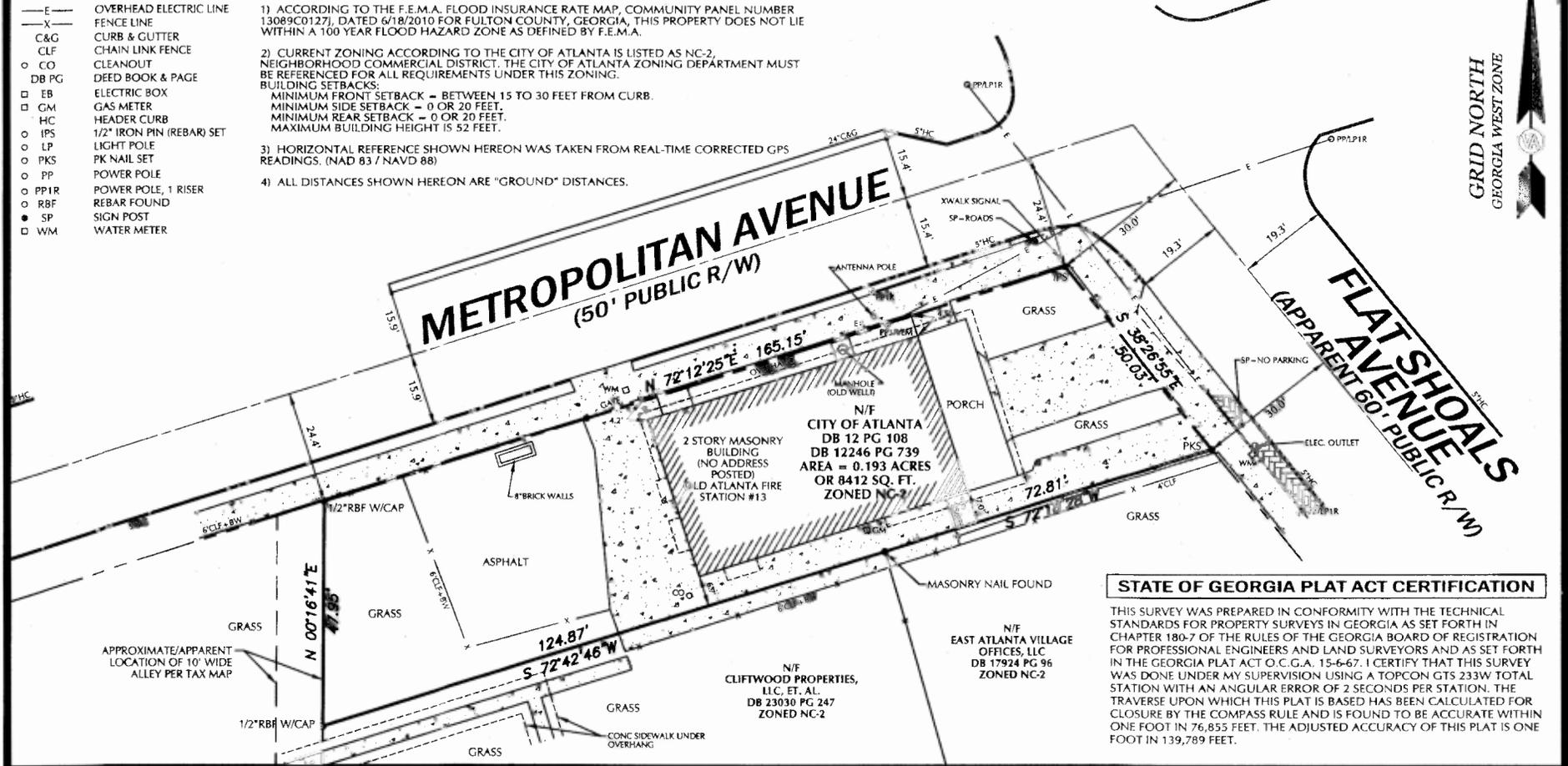
**LEGEND**

- E— OVERHEAD ELECTRIC LINE
- X- FENCE LINE
- C&G CURB & GUTTER
- CLF CHAIN LINK FENCE
- CO CLEANOUT
- DB PG DEED BOOK & PAGE
- EB ELECTRIC BOX
- GM GAS METER
- HC HEADER CURB
- IPS 1/2" IRON PIN (REBAR) SET
- LP LIGHT POLE
- PKS PK NAIL SET
- PP POWER POLE
- PPIR POWER POLE, 1 RISER
- RBF REBAR FOUND
- SP SIGN POST
- WM WATER METER

**GENERAL NOTES**

- 1) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13089C0127, DATED 6/18/2010 FOR FULTON COUNTY, GEORGIA, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A.
- 2) CURRENT ZONING ACCORDING TO THE CITY OF ATLANTA IS LISTED AS NC-2, NEIGHBORHOOD COMMERCIAL DISTRICT. THE CITY OF ATLANTA ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.  
BUILDING SETBACKS:  
MINIMUM FRONT SETBACK - BETWEEN 15 TO 30 FEET FROM CURB.  
MINIMUM SIDE SETBACK - 0 OR 20 FEET.  
MINIMUM REAR SETBACK - 0 OR 20 FEET.  
MAXIMUM BUILDING HEIGHT IS 52 FEET.
- 3) HORIZONTAL REFERENCE SHOWN HEREON WAS TAKEN FROM REAL-TIME CORRECTED GPS READINGS. (NAD 83 / NAVD 88)
- 4) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES.

FIELD DATES: 6/21 & 27/13



**STATE OF GEORGIA PLAT ACT CERTIFICATION**

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. I CERTIFY THAT THIS SURVEY WAS DONE UNDER MY SUPERVISION USING A TOPCON GTS 233W TOTAL STATION WITH AN ANGULAR ERROR OF 2 SECONDS PER STATION. THE TRAVERSE UPON WHICH THIS PLAT IS BASED HAS BEEN CALCULATED FOR CLOSURE BY THE COMPASS RULE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 76,855 FEET. THE ADJUSTED ACCURACY OF THIS PLAT IS ONE FOOT IN 139,789 FEET.

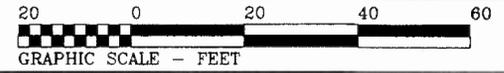
SCALE:	1" = 20'
DATE:	7/2/2013
JOB NUMBER:	13-035
FILE NUMBER:	13-035
PLOTTED:	7/2/2013
SHEET	1 OF 1



**VALENTINO & ASSOCIATES INC.**  
LAND SURVEYORS  
1280 WINCHESTER PARKWAY  
SUITE 243  
SMYRNA, GEORGIA 30080  
PHONE: (770) 438-0015  
FAX: (770) 435-6050  
WEB: VALENTINOSURVEY.COM  
STATE OF GEORGIA LAND SURVEYING FIRM LICENSE NO. LSP000794

BOUNDARY SURVEY FOR:

**THE CITY OF ATLANTA**



LAND LOT 177 15TH DISTRICT CITY OF ATLANTA DEKALB COUNTY, GEORGIA

**EXHIBIT A**  
PART 1 OF 2



# EXHIBIT A

PART 2 OF 2

## LEGAL DESCRIPTION (BASED ON THIS SURVEY)

All that tract or parcel of land lying and being in Land Lot 177 of the 15th Land District, City of Atlanta, Dekalb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #13-035; Drawing/File #13-035), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1/2" iron pin set at the intersection of the southerly right-of-way line of Metropolitan Avenue (50' public r/w) and the southwesterly right-of-way line of Flat Shoals Avenue (apparent 60' public r/w).

THENCE proceeding along said southwesterly right-of-way line of Flat Shoals Avenue South 38 degrees 26 minutes 55 seconds East for a distance of 50.03 feet to a PK (masonry) nail set;

THENCE departing said southwesterly right-of-way line of Flat Shoals Avenue South 72 degrees 18 minutes 28 seconds West for a distance of 72.81 feet to a masonry nail found;

THENCE South 72 degrees 42 minutes 46 seconds West for a distance of 124.87 feet to a 1/2" rebar with cap found;

THENCE North 00 degrees 16 minutes 41 seconds East for a distance of 47.95 feet to a 1/2" rebar with cap found on the southerly right-of-way line of Metropolitan Avenue;

THENCE proceeding along said southerly right-of-way line of Metropolitan Avenue North 72 degrees 12 minutes 25 seconds East for a distance of 165.15 feet to a 1/2" iron pin set at the intersection of the southerly right-of-way line of Metropolitan Avenue and the southwesterly right-of-way line of Flat Shoals Avenue, said 1/2" iron pin set being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.193 acres or 8412 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 12, Page 108 (and also being a portion of the same tract of land that was previously conveyed in Deed Book 12246, Page 739), Dekalb County Georgia Records.

RCS# 3037  
10/07/13  
3:36 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS

10/7/2013

ADOPT

YEAS: 9  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 3

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

CONSENT I

+

		10-07-13
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 13-O-1184	40. 13-R-3600	
2. 13-O-1276	41. 13-R-3601	
3. 13-O-1277	42. 13-R-3602	
4. 13-O-1279	43. 13-R-3603	
5. 13-O-1268	44. 13-R-3604	
6. 13-O-1271	45. 13-R-3605	
7. 13-O-1272	46. 13-R-3606	
8. 13-O-1273	47. 13-R-3607	
9. 13-O-1274	48. 13-R-3608	
10. 13-O-1081	49. 13-R-3609	
11. 13-O-1148	50. 13-R-3610	
12. 13-O-1246	51. 13-R-3611	
13. 13-O-1275	52. 13-R-3612	
14. 13-O-1278	53. 13-R-3613	
15. 13-O-1281	54. 13-R-3614	
16. 13-O-1282	55. 13-R-3615	
17. 13-O-1283	56. 13-R-3616	
18. 13-R-3553	57. 13-R-3617	
19. 13-R-3585	58. 13-R-3618	
20. 13-R-3586	59. 13-R-3619	
21. 13-R-3587	60. 13-R-3620	
22. 13-R-3592	61. 13-R-3621	
23. 13-R-3593	62. 13-R-3622	
24. 13-R-3629	63. 13-R-3623	
25. 13-R-3274		
26. 13-R-3532		
27. 13-R-3588		
28. 13-R-3590		
29. 13-R-3594		
30. 13-R-3624		
31. 13-R-3625		
32. 13-R-3626		
33. 13-R-3627		
34. 13-R-3628		
35. 13-R-3595		
36. 13-R-3596		
37. 13-R-3597		
38. 13-R-3598		
39. 13-R-3599		