

#19

3171

13-01381-1381

(Do Not Write Above This Line)

*Joynce Sheperd*

AN ORDINANCE  
BY COUNCILMEMBER  
JOYCE SHEPERD

AN ORDINANCE AUTHORIZING THE  
MAYOR OR HIS DESIGNEE TO  
EXECUTE A QUITCLAIM DEED  
CONVEYING THE CITY'S INTEREST IN  
A PARCEL OF REAL PROPERTY,  
IDENTIFIED IN THE TAX RECORDS OF  
FULTON COUNTY AS PARCEL  
IDENTIFICATION NUMBER 14-0001-  
0002-027-1, TO THE FULTON  
COUNTY/CITY OF ATLANTA LAND  
BANK AUTHORITY FOR  
CONSIDERATION OF ONE DOLLAR  
(\$1.00) FOR THE PURPOSE OF  
CORRECTING AN APPARENT ERROR IN  
PRIOR TRANSACTIONS SO THAT THE  
PROPERTIES CAN BE RETURNED TO  
EFFECTIVE UTILIZATION; AND FOR  
OTHER PURPOSES.

ADOPTED BY

NOV 18 2013

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

Date Referred *11/4/13*

Referred To: *CD/HR + Finance*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee *CD/HR*  
 Date *11-12-13*  
 Chair *Joynce Sheperd*  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other *Refer to Finance*  
 Members  
*Clotilde*  
*A.V. Jones*  
*H. L. Smith*  
*Cheryl*

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

Committee *Finance*  
 Date *11-13-13*  
 Chair *A. Jones*  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members  
*M. Adams*  
*H. L. Smith*  
*Madrean*

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

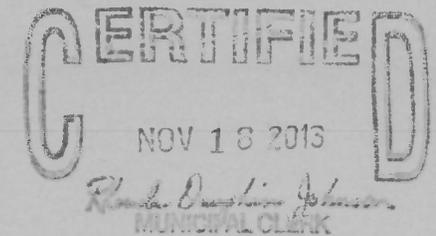
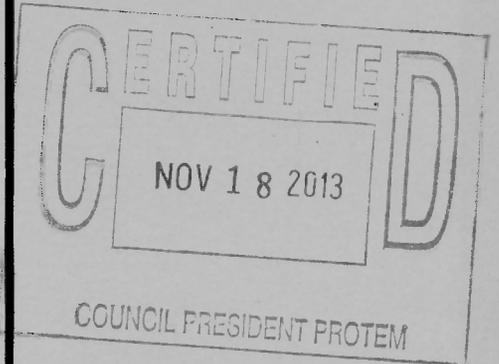
Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

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

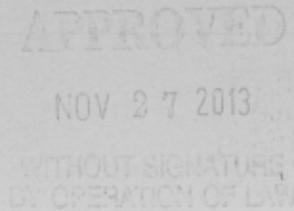
FINAL COUNCIL ACTION

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

CERTIFIED



MAYOR'S ACTION





AN ORDINANCE BY  
COUNCILMEMBER JOYCE SHEPERD

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A QUITCLAIM DEED CONVEYING THE CITY'S INTEREST IN A PARCEL OF REAL PROPERTY, IDENTIFIED IN THE TAX RECORDS OF FULTON COUNTY AS PARCEL IDENTIFICATION NUMBER 14-0001-0002-027-1, TO THE FULTON COUNTY/CITY OF ATLANTA LAND BANK AUTHORITY FOR CONSIDERATION OF ONE DOLLAR (\$1.00) FOR THE PURPOSE OF CORRECTING AN APPARENT ERROR IN PRIOR TRANSACTIONS SO THAT THE PROPERTIES CAN BE RETURNED TO EFFECTIVE UTILIZATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, from time to time, the City of Atlanta ("City") and Fulton County (the "County") obtain interests in parcels of real property by way of tax deeds or demolition assessments and in concert with Fulton County will transfer its interests in such properties to the Fulton County/City of Atlanta Land Bank Authority (the "Land Bank") for the public purpose of returning those parcels to the tax rolls and providing housing and jobs for the citizens of the City and the County; and

**WHEREAS**, the City and the County convey interests in such properties to the Land Bank via separate deeds; and

**WHEREAS**, it has come to the attention of the City through title research being performed for the benefit of Habitat for Humanity in Atlanta, Inc. ("Habitat") that the City has record interests in one (1) parcels identified in the tax records of Fulton County as parcel identification numbers 14-0001-0002-027-1 (the "Property") that arose through tax deeds issued in 1988; and

**WHEREAS**, on September 8, 1998, the City of Atlanta City Council approved a Resolution 98-R-1652 authorizing the Mayor to execute a quitclaim deed (the "1998 City Deed") conveying the City's interest in ninety (90) Marshal's and/or Sheriff's Deed Property for the consideration of One Dollar (\$1.00) for that public purpose; and

**WHEREAS**, on June 4, 2001, the City of Atlanta City Council approved a Resolution 01-R-0303 authorizing the Mayor to execute a quitclaim deed (the "2001 City Deed") conveying the City's interest in three hundred thirty-nine (339) Marshal's and/or Sheriff's Deed Properties for the consideration of One Dollar (\$1.00) to the Land Bank for that public purpose; and

**WHEREAS**, on February 17, 2000, Fulton County (the "County") executed a quitclaim deed (the "2000 County Deed") conveying the County's interest in approximately one hundred fifty-eight (158) Marshal's and/or Sheriff's Deed Properties for that public purpose; and



**WHEREAS**, the 2000 County Deed conveyed the County's interest the Properties to the Land Bank; and

**WHEREAS**, the 1998 City Deed and the 2001 City Deed and the 2000 County Deed conveyed to the Land Bank the City and County's respective interest in many identical properties but the Property was not included in either of the City Deeds; and

**WHEREAS**, the Land Bank has subsequently quitclaimed its interest in the Property to Habitat for Humanity in Atlanta, Inc. ("Habitat"); and

**WHEREAS**, Habitat's title research indicates that the City may have a remaining limited ownership interest in the Property via tax deeds although such properties are no longer carried on the records of the City; and

**WHEREAS**, the record of the City's possible interest in the Property in tax records of the County has clouded Habitat's title and stalled its efforts to develop the Properties; and

**WHEREAS**, given the manner in which the City obtained an ownership interest in the Properties in the County tax records and the absence of such properties in the records of the City, it appears that the Property should have been included in the 1998 Deed or the 2001 Deed to the Land Bank; and

**WHEREAS**, Habitat has requested that the Land Bank take the necessary steps to obtain a quitclaim deed to the Property from the City for the purposes of clearing Habitat's title to the Property; and

**WHEREAS**, the Land Bank has requested that the City quitclaim its interest in the Properties to the Land Bank; and

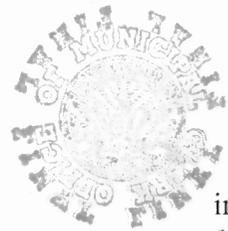
**WHEREAS**, the possibility that the City would ever recover any of the taxes due on the property are exceedingly remote; and

**WHEREAS**, pursuant to O.C.G.A. § 48-4-112, whenever any real property is acquired by the Land Bank and is encumbered by a lien or claim for real property taxes owed to the City, the Land Bank may, by resolution of the board, discharge and extinguish any and all such liens or claims; and

**WHEREAS**, clear title to the Property would allow Habitat to construct new housing that would improve the utilization of the real estate, increase the tax base and provide new housing for citizens of Atlanta.

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

**SECTION 1:** That the Mayor or his designee is authorized to execute a Quit Claim Deed and other documents determined necessary by the City Attorney, to convey any City-held



interest in the Property to the Fulton County City of Atlanta Land Bank Authority in return for consideration of \$1.00.

**SECTION 2:** The City Attorney, or a designee, is authorized to prepare all necessary documents and instruments in acceptable form to facilitate this transaction and to record all documents in the records of the Clerk of the Superior Court of Fulton County.

**SECTION 3:** This ordinance shall become effective when signed by the Mayor or by operation of law.

A true copy,

A handwritten signature in black ink, appearing to read "J. [unclear]", written over a horizontal line.

Deputy Clerk

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

NOV 18, 2013  
NOV 27, 2013



1988

14-0001-0002-027-1

Bonnie Lane

Filed & Recorded: APR 11 1988 at 11:52 AM  
Georgia Fulton County Clerk's Office Superior Court  
Kamie Stiles CLERK

STATE OF GEORGIA, Fulton County  
THIS INDENTURE, Made this 6th day of December, 1988, between  
William Lee Roberts, as Tax Commissioner and Ex-Officio Sheriff of Fulton County and  
CITY OF ATLANTA, GEORGIA

WITNESSETH, By virtue of the powers conferred upon the undersigned by the Acts of  
the General Assembly (Ga. L. 1891, P. 101) approved September 11, 1891. (Ga. L. 1958, p.  
3453), approved April 9, 1968, and (Ga. L. 1968, p. 3762) approved April 12, 1968, re-  
spectively, and pursuant to an ordinance adopted by the Board of Aldermen of the City of  
Atlanta approved July 10, 1969, and resolution also adopted by the Board of Aldermen ap-  
proved March 5, 1969, the undersigned Tax Commissioner and Ex-Officio Sheriff did on the  
27th day of October, 1988, levy on the Lot of Land and improvements thereon  
hereby described (notice of levy having been given according to law) and further did  
advertise said property for sale agreeable to law and did sell same on the day and year  
above written at which time the Grantee herein was the highest & best bidder after said  
property had been cried out before the courthouse door of Fulton County on said date.

NOW, THEREFORE, in consideration of the premise and sum of (\$3,286.94) Three  
thousand two hundred eighty-six and ninety-four cents only-----Dollars,  
receipt whereof is hereby acknowledged, hath granted, bargained and sold, and by these  
presents doth grant, bargain, sell and convey, so far as the office of Tax Commissioner  
and Ex-Officio Sheriff authorizes him unto the said CITY OF ATLANTA, GEORGIA  
heirs and assigns, all that tract or parcel of

land described as follows:

A certain property in City of Atlanta, Georgia and other improvements thereon, in land  
lot 1, of the 16th district of Fulton County, Georgia fronting 25.3 feet  
on the East side of Bonnie Lane S. E. between  
Old Conlay Rd. and Shieldcrest Way  
and running back 213.9 x 151.8 x 92.9 feet  
more or less, in a Easterly direction, \_\_\_\_\_ feet  
\_\_\_\_\_ and being identified on the  
field books of the Joint City of Atlanta - Fulton County Board of Tax Assessors, by the key  
number 14-0001-0002-027-1 the same being ~~unimproved~~ unimproved property in  
Fulton County, Georgia, adjoining the property of Doris L. Goodan.  
Said property was levied to satisfy tax P. P. in favor of the City of Atlanta, Georgia  
against said property and against said  
Ronald L. Teems & J. Steven Goss for 1978 thru 1987

Filed for Record at  
Fulton County Clerk's Office  
Date: 11 1988  
By: [Signature]

Together with all the rights, members and appurtenances thereof; and also, all the  
estate, right, title, interest, claim and demand of the said Ronald L. Teems  
and J. Steven Goss in law, equity, or otherwise whatsoever, or, in or to, the  
same.

TO HAVE AND TO HOLD the said premises, and every part thereof unto the said  
CITY OF ATLANTA, GEORGIA heirs and assigns, in as full and  
ample manner as the said Ronald L. Teems and J. Steven Goss or their  
heirs and assigns, did hold and enjoy or might have held and enjoyed the same, had it  
not been seized and sold under the execution aforesaid.

IN WITNESS WHEREOF, William Lee Roberts, Tax Commissioner and Ex-Officio Sheriff as  
aforesaid, hath hereunto set his hand and affixed his seal, the day and year first above  
written.

Signed, sealed and delivered in the  
presence of



[Signature]  
[Signature]  
NOTARY PUBLIC

[Signature]  
William Lee Roberts, Tax Commissioner and  
Ex-Officio Sheriff

Notary Public, Fulton County, Georgia  
My Commission Expires Nov. 16, 1990

BOOK 12418 PAGE 089



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ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	11-18-13 ITEMS ADVERSED ON CONSENT
1. 13-O-1243	32. 13-O-1380	62. 13-R-3752
2. 13-O-1355	33. 13-R-3767	63. 13-R-3753
3. 13-O-1357	34. 13-R-3737	64. 13-R-3754
4. 13-O-1358	35. 13-R-3738	65. 13-R-3755
5. 13-O-1359	36. 13-R-3739	66. 13-R-3756
6. 13-O-1346	37. 13-R-3740	67. 13-R-3757
7. 13-O-1347	38. 13-R-3741	68. 13-R-3758
8. 13-O-1348	39. 13-R-3762	69. 13-R-3759
9. 13-O-1349	40. 13-R-3763	70. 13-R-3760
10. 13-O-1350	41. 13-R-3764	71. 13-R-3761
11. 13-O-1351	42. 13-R-3765	
12. 13-O-1384	43. 13-R-3766	
13. 13-O-0030	44. 13-R-3543	
14. 13-O-1299	45. 13-R-3735	
15. 13-O-1337	46. 13-R-3734	
16. 13-O-1360	47. 13-R-3769	
17. 13-O-1361	48. 13-R-3770	
18. 13-O-1362	49. 13-R-3771	
19. 13-O-1370	50. 13-R-3772	
20. 13-O-1371	51. 13-R-3774	
21. 13-O-1372	52. 13-R-3775	
22. 13-O-1381	53. 13-R-3742	
23. 13-O-1382	54. 13-R-3744	
24. 13-O-1383	55. 13-R-3745	
25. 13-O-1315	56. 13-R-3746	
26. 13-O-1366	57. 13-R-3747	
27. 13-O-1367	58. 13-R-3748	
28. 13-O-1368	59. 13-R-3749	
29. 13-O-1374	60. 13-R-3750	
30. 13-O-1375	61. 13-R-3751	
31. 13-O-1379		