

#9

3339

13-0-1407

(Do Not Write Above This Line)

1301407

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION

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

AN ORDINANCE BY
COUNCILMEMBER

AN ORDINANCE WAIVING ANY CONFLICTING PROVISIONS OF ARTICLE X, DIVISION 14, SUBSECTION III OF THE ATLANTA CITY CODE AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO EXECUTE APPROPRIATE DOCUMENTS CONVEYING RIGHT OF WAY, PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS TO THE GEORGIA DEPARTMENT OF TRANSPORTATION TO ALLOW FOR THE REPLACEMENT OF THE SPRING STREET VIADUCT BETWEEN MITCHELL STREET AND MARIETTA STREET; AND FOR OTHER PURPOSES.

ADOPTED BY

DEC 02 2013

COUNCIL

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

Date Referred 11/18/13
Referred To: _____

Date Referred
Referred To: _____

Date Referred: _____

Referred To: _____

F/E Committee
Date 11/25/13
Chair [Signature]
Action
Fav, Adv, Hold (see rev. side)
Other

Members

[Signatures of Council Members]

Refer To

Committee

Date

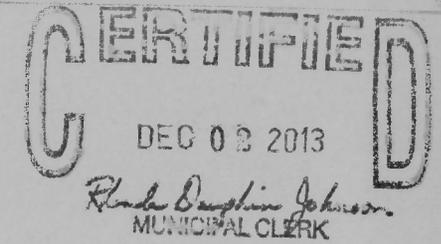
Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To



MAYOR'S ACTION

APPROVED

DEC 11 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW



[Handwritten Signature]
13-0-1407

**AN ORDINANCE BY
COUNCILMEMBER**

AN ORDINANCE WAIVING ANY CONFLICTING PROVISIONS OF ARTICLE X, DIVISION 14, SUBSECTION III OF THE ATLANTA CITY CODE AND AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO EXECUTE APPROPRIATE DOCUMENTS CONVEYING RIGHT OF WAY, PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS TO THE GEORGIA DEPARTMENT OF TRANSPORTATION TO ALLOW FOR THE REPLACEMENT OF THE SPRING STREET VIADUCT BETWEEN MITCHELL STREET AND MARIETTA STREET; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Department of Transportation (“GDOT”) desires to replace the section of the Spring Street Viaduct between Mitchell Street and Marietta Street (the “Project”); and

WHEREAS, the City of Atlanta (the “City”) holds an ownership interest in three tracts of land associated with the Project, said tracts being identified as Parcels 4, 15 and 16B (the “Parcels”) on right of way plans produced by GDOT for the Project; and

WHEREAS, the City’s ownership in Parcels 4 and 16B is associated with right of way, while Parcel 15 is associated with the improvements at 72 Marietta Street (“72 Marietta”); and

WHEREAS, GDOT needs to acquire approximately 12.65 square feet of right of way from Parcel 4, as depicted on Exhibits “A-1” and “B-1”; and

WHEREAS, GDOT needs to acquire approximately 430.35 square feet of right of way and approximately 9,670.83 square feet of temporary construction easement area from Parcel 15; as depicted on Exhibits “A-2” and “B-2”; and

WHEREAS, GDOT needs to acquire approximately 14,041.43 square feet of non-exclusive, temporary construction easement area from Parcel 15; also as depicted on Exhibits “A-2” and “B-2”; and

WHEREAS, GDOT needs to acquire approximately 4,943.26 square feet of permanent construction and maintenance easement area from Parcel 16B, as depicted on Exhibits “A-3” and “B-3”; and

WHEREAS, the non-exclusive temporary easement needed across Parcel 15 is designed to allow for continued access to loading docks at 72 Marietta by the City; and

WHEREAS, since the Project will greatly benefit the City by improving the safety of the Spring Street Viaduct, GDOT has requested a donation of the real estate rights needed across the Parcels.



THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Mayor, on behalf of the City is hereby authorized to convey those property interests described in attached Exhibits A-1, A-2 and A-3 and Exhibits B-1, B-2, and B-3 to GDOT at no cost so that the Project may be constructed as designed.

SECTION 2: That the City Attorney, or her designee, is directed to prepare appropriate documents for execution by the Mayor in order to facilitate this transaction.

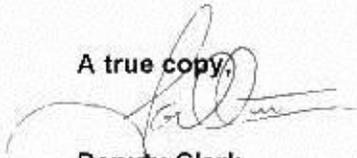
SECTION 3: That the Mayor is hereby authorized to execute appropriate documents conveying those property interests described in attached Exhibits A-1, A-2 and A-3 and Exhibits B-1, B-2, and B-3 to GDOT.

SECTION 4: That Article X, Division 14, Subdivision III of the Atlanta City Code is hereby waived to the extent of any conflict with this Ordinance.

SECTION 5: This ordinance shall become effective when signed by the Mayor or by operation of law.

SECTION 6: That all ordinances or parts of ordinances in conflict with this are waived to the extent of the conflict.

A true copy,



Deputy Clerk

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

DEC 02, 2013
DEC 11, 2013

RCS# 3178
12/02/13
3:26 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I:EXCEPT
13-O-1333,1334,1264,1395,13-R-3783,3785
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

CONSENT I

+

		12-02-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1100	41. 13-R-3792	79. 13-R-3806
2. 13-O-1398	42. 13-R-3850	80. 13-R-3807
3. 13-O-1386	43. 13-R-3851	81. 13-R-3808
4. 13-O-1387	44. 13-R-3852	82. 13-R-3809
5. 13-O-1400	45. 13-R-3853	83. 13-R-3810
6. 13-O-1401	46. 13-R-3854	84. 13-R-3811
7. 13-O-1402	47. 13-R-3855	85. 13-R-3812
8. 13-O-1403	48. 13-R-3856	86. 13-R-3813
9. 13-O-1404	49. 13-R-3857	87. 13-R-3814
10. 13-O-1405	50. 13-R-3858	88. 13-R-3815
11. 13-O-1406	51. 13-R-3859	89. 13-R-3816
12. 13-O-1407	52. 13-R-3869	90. 13-R-3817
13. 13-O-1408	53. 13-R-3786	91. 13-R-3818
14. 13-O-1411	54. 13-R-3846	92. 13-R-3819
15. 13-O-1412	55. 13-R-3849	93. 13-R-3820
16. 13-O-1413	56. 13-R-3871	94. 13-R-3821
17. 13-O-1415	57. 13-R-3872	95. 13-R-3822
18. 13-O-1389	58. 13-R-3795	96. 13-R-3823
19. 13-O-1390	59. 13-R-3796	97. 13-R-3824
20. 13-O-1391	60. 13-R-3873	98. 13-R-3825
21. 13-O-1392	61. 13-R-3874	99. 13-R-3826
22. 13-O-1397	62. 13-R-3875	100. 13-R-3827
23. 13-O-1388	63. 13-R-3876	101. 13-R-3828
24. 13-O-1356	64. 13-R-3877	102. 13-R-3829
25. 13-O-1393	65. 13-R-3878	103. 13-R-3830
26. 13-O-1210	66. 13-R-3782	104. 13-R-3831
27. 13-O-1262	67. 13-R-3860	105. 13-R-3832
28. 13-O-1325	68. 13-R-3777	106. 13-R-3833
29. 13-O-1326	69. 13-R-3779	107. 13-R-3834
30. 13-R-3794	70. 13-R-3797	108. 13-R-3835
31. 13-R-3861	71. 13-R-3798	109. 13-R-3836
32. 13-R-3862	72. 13-R-3799	110. 13-R-3837
33. 13-R-3863	73. 13-R-3800	111. 13-R-3838
34. 13-R-3864	74. 13-R-3801	112. 13-R-3839
35. 13-R-3865	ITEMS ADVERSED ON	113. 13-R-3840
36. 13-R-3866	CONSENT	114. 13-R-3841
37. 13-R-3867	75. 13-R-3802	115. 13-R-3842
38. 13-R-3689	76. 13-R-3803	116. 13-R-3843
39. 13-R-3778	77. 13-R-3804	117. 13-R-3844
40. 13-R-3790	78. 13-R-3805	118. 13-R-3845