

**AN ORDINANCE BY  
FINANCE EXECUTIVE COMMITTEE**

**13- 0 -0028**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA TO WAIVE THE REQUIREMENTS OF THE CITY CODE SECTION 2-1541(D) OF THE PROCUREMENT AND REAL ESTATE CODE, TO ACCEPT THE DEDICATION FROM ATLANTA BELTLINE, INC. OF APPROXIMATELY 7.45 ACRES LOCATED IN HISTORIC FOURTH WARD PARK IN THREE PARCELS ON NORTH ANGIER AVENUE AND RALPH MCGILL BOULEVARD MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO ("THE PROPERTIES"); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta BeltLine, Inc. has agreed to dedicate the Properties to the City of Atlanta ("City") to be used to increase the land area of Historic Fourth Ward Park, subject to the appropriate City approval processes; and

**WHEREAS**, the Atlanta BeltLine, Inc. has completed the development of the Properties; and

**WHEREAS**, the acceptance of the Properties is consistent with the City's goal of greenspace acquisition, preservation and park expansion particularly in areas that are located along the proposed BeltLine.

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

**SECTION 1:** The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to accept the dedication from the Atlanta BeltLine, Inc. of approximately 7.45 acres of real property described in Exhibit A.

**SECTION 2:** The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, and environmental assessments, and appraisals to evaluate the Properties.

**SECTION 3:** Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Properties and shall retain the land in perpetuity as a public park. 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 4:** 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 donation of the Property on behalf of the City without further authorization by the City Council.

**SECTION 5:** The City’s Greenspace Acquisition Consultant, (“the Consultant”) is authorized to arrange and negotiate for the Due Diligence and Purchase Services.

**SECTION 6:** 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 7:** The City Attorney or her designee 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, said documents to be approved as to form by the City Attorney.

**SECTION 8:** 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.

**SECTION 9:** All ordinances and parts of ordinances in conflict herewith are hereby repealed for purposes of the Ordinance only, and only to the extent of the conflict.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview: FINANCE EXECUTIVE COMMITTEE**

**Caption: AN ORDINANCE BY FINANCE EXECUTIVE COMMITTEE**

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**Council Meeting Date:** January 22, 2013

**Requesting Dept.:** Department of Parks, Recreation and Cultural Affairs

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation.**

The purpose of this legislative request is to have an Ordinance authorizing the transfer of 7.45 acres of land from the Atlanta BeltLine to the Department of Parks, Recreation and Cultural Affairs to increase the size of the Historic Fourth Ward Park.

**2. Please provide background information regarding this legislation.**

The Atlanta BeltLine organization has acquired land, completed development on, and finalized the consolidation of the parcels and wishes to transfer ownership of the approximately 7.45 acres to the Department of Parks, Recreation and Cultural Affairs.

**3. If Applicable/Known:**

- (a) **Contract Type-**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

**4. Account Segment:**

**5. Source of Funds:** None

**6. Fiscal Impact:** None

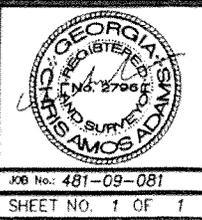
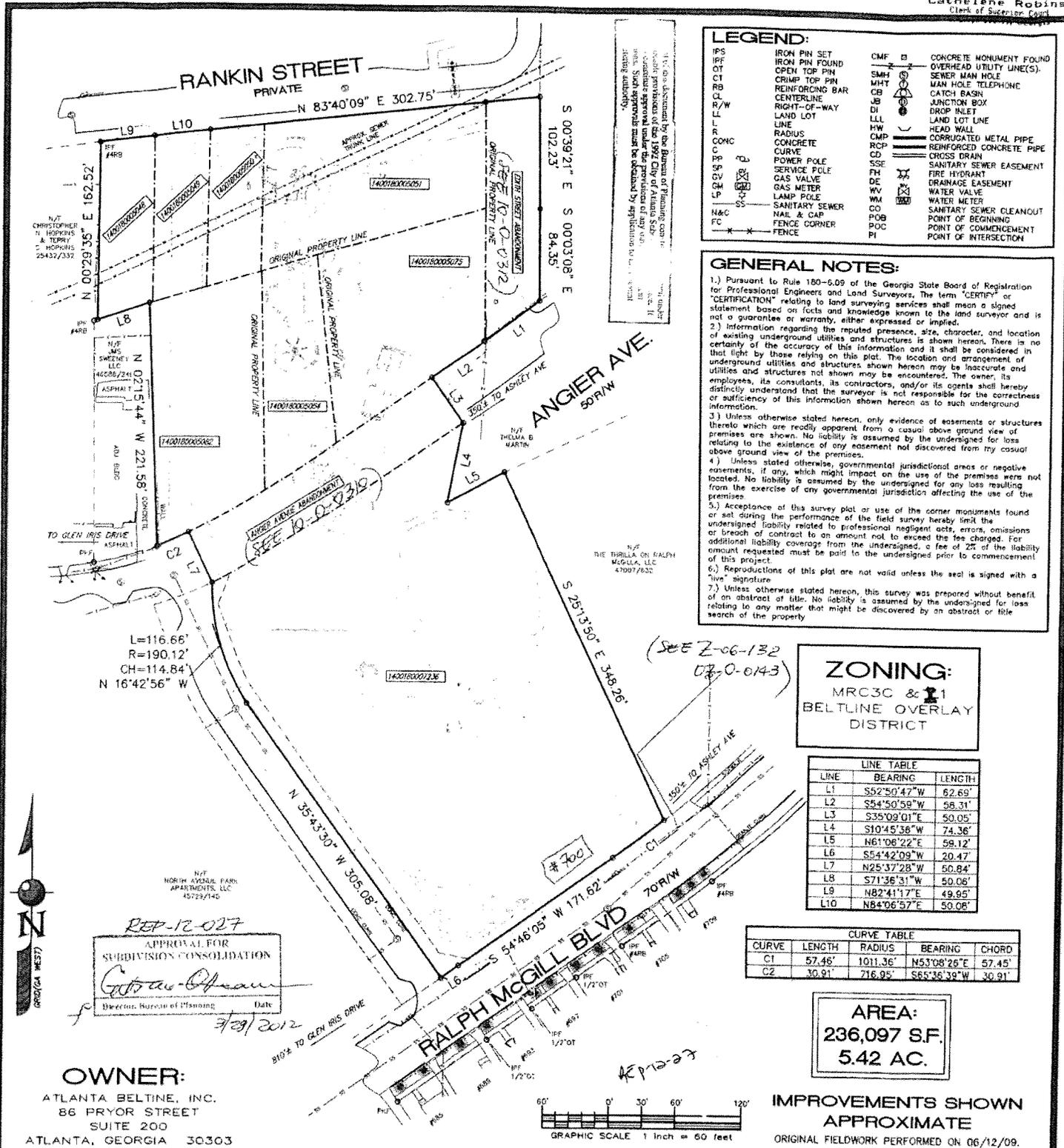
**7. Method of Cost Recovery: This Legislative Request Form Was Prepared By:** Ellen Wickersham, Senior Acquisition Manager, Parks and Greenspace and Trina Horton, DPRCA Departmental Contracting Officer/Legislative Liaison.

**EXHIBIT A**

**HISTORIC FOURTH WARD PARK PROPERTIES**

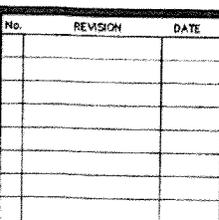






LOT CONSOLIDATION PLAT FOR:  
**URS CORPORATION**  
 LAND LOT 18 OF  
 THE 14TH DISTRICT,  
 CITY OF ATLANTA  
 FULTON COUNTY, GEORGIA  
 -HISTORIC 4TH WARD PARK-

| No. | REVISION | DATE |
|-----|----------|------|
|     |          |      |
|     |          |      |
|     |          |      |



**SEI**  
 SOUTHEASTERN ENGINEERING, INC.  
 7470 Sandy Plains Road, Marietta, Georgia 30066  
 Tel: 770-321-3935, Fax: 770-321-3955  
 www.sei-engineering.com

MEMBER OF THE SURVEYING & MAPPING SOCIETY OF GEORGIA (SMSG)  
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 DRAFTED: CML CHECKED: CAA

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Trina Horton

Contact Number: (404) 546-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Finance Executive Committee

Chief of Staff Deadline: December 28, 2012

Anticipated Committee Meeting Date(s): January 16, 2013

Anticipated Full Council Date: January 22, 2013

Legislative Counsel's Signature: 

Commissioner's Signature: 

Chief Information Officer Signature (for IT Procurements) \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE BY  
FINANCE EXECUTIVE COMMITTEE

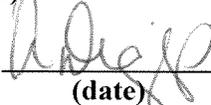
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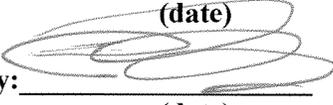
FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office:  12-28-12  
(date)

Reviewed by:   
(date)

Submitted to Council: \_\_\_\_\_ (date)