

**13-O-0514 AN ORDINANCE BY COUNCILMEMBER H. L. WILLIS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ABANDON HONEYSUCKLE LANE, SW LOCATED BETWEEN CAMPBELLTON ROAD, SW AND PLAZA LANE, SW CONSISTING OF APPROXIMATELY 1.084 ACRES AND A PORTION OF PLAZA LANE, SW BETWEEN MYRTLE DRIVE, SW CONTINUING IN AN EASTWARD DIRECTION FOR APPROXIMATELY 390.90 FEET TO THE PROPERTY LINE OF HARMONY PLAZA APARTMENTS CONSISTING OF APPROXIMATELY 0.916 ACRE AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", LYING AND BEING IN LAND LOTS 167 AND 168 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 138-9(K) OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES. (PUBLIC HEARING HELD 3/26/13)**

**Review List:**

City Utilities Committee	Completed	05/08/2013 5:10 PM
City Utilities Committee	Completed	05/22/2013 11:58 AM
Atlanta City Council	Completed	06/05/2013 11:02 AM
Atlanta City Council	Completed	05/24/2013 4:06 PM
Atlanta City Council	Completed	06/07/2013 10:35 AM
City Utilities Committee	Pending	

**HISTORY:**

04/30/13 City Utilities Committee  
 05/06/13 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>
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05/14/13 City Utilities Committee HELD IN COMMITTEE Next: 05/28/13

<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>	<b>Next: 5/28/2013 9:30 AM</b>
<b>AYES:</b>	Wan, Shook, Archibong, Adrean, Martin, Smith, Watson	

05/20/13 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>
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05/28/13 City Utilities Committee

06/03/13 Atlanta City Council REFERRED TO COMMITTEE

<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [13 TO 0]</b>
<b>AYES:</b>	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Archibong, Adrean
<b>AWAY:</b>	Kwanza Hall, Michael Julian Bond

<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [13 TO 0]</b>
<b>AYES:</b>	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Archibong, Adrean
<b>AWAY:</b>	Kwanza Hall, Michael Julian Bond

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**ORDINANCE  
BY CITY UTILITIES COMMITTEE**

**13-O-0514 AN ORDINANCE BY COUNCILMEMBER H. L. WILLIS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ABANDON HONEYSUCKLE LANE, SW LOCATED BETWEEN CAMPBELLTON ROAD, SW AND PLAZA LANE, SW CONSISTING OF APPROXIMATELY 1.084 ACRES AND A PORTION OF PLAZA LANE, SW BETWEEN MYRTLE DRIVE, SW CONTINUING IN AN EASTWARD DIRECTION FOR APPROXIMATELY 390.90 FEET TO THE PROPERTY LINE OF HARMONY PLAZA APARTMENTS CONSISTING OF APPROXIMATELY 0.916 ACRE AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", LYING AND BEING IN LAND LOTS 167 AND 168 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 138-9(K) OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES. (PUBLIC HEARING HELD 3/26/13)**

WHEREAS, the City of Atlanta ("City") has received a formal request from Toro Properties VI, LLC d/b/a Shamrock Gardens Apartments ("Shamrock Gardens"), to abandon a portion of Honeysuckle Lane, S.W. located between Campbellton Road, S.W. and Plaza Lane, S.W. consisting of approximately 1.084 acres, and a portion of Plaza Lane S.W. between Myrtle Drive S.W. continuing in an eastward direction for approx 390.90 feet to the property line of Harmony Plaza Apartments consisting of approximately 0.916 acres, (described in Exhibits "A" and "B"); and

WHEREAS, the Atlanta Police Department is committed to making Shamrock Gardens Apartments a safe community, while increasing the quality of life for the residents; and

WHEREAS, the Atlanta Police Department has evaluated historical crime data in the area and is in support of making the streets that run through Shamrock Gardens Apartments private in order to provide a safe and livable community for all residents; and

WHEREAS, the abandoned portion of the above described property will become part of the abutting property owner's private property, and will be such owner's responsibility to maintain, operate, and provide all services and utilities for said property; and

WHEREAS, this will result in a net abandonment by the City of approximately 2.000 acres; and

WHEREAS, the Department of Public Works has reviewed the request from the abutting property owner and has concluded that the abandonment of the portion of the right-of-way described herein will not have any adverse affect on traffic movement now and in the future.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1: That Honeysuckle Lane, S.W. located between Campbellton Road, S.W. and

Plaza Lane, S.W. consisting of approximately 1.084 acres, and a portion of Plaza Lane S.W. between Myrtle Drive S.W. continuing in an eastward direction for approximately 390.90 feet to the property line of Harmony Plaza Apartments consisting of approximately 0.916 acres, (described in Exhibits "A" and "B") is hereby declared no longer useful or necessary for the public's use and convenience.

Section 2: That the City hereby expresses its intent to abandon said property described in Section 1 above.

Section 3 That the provisions of Section 138-9 (k) of the City of Atlanta Code of Ordinances are hereby waived, insofar as it conflicts with this Ordinance.

Section 4: That Shamrock Gardens, the abutting property owner, has agreed to pay the fair market value of the abandoned street as determined by an appraisal that has now been completed.

Section 5: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

Section 6: That the Chief Procurement Officer has prepared an appraisal to determine the fair market value of the right-of-way to be abandoned and perform all other responsibilities concerning the proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

Section 7: That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the abutting property owner in the amount of the appraised fair market value of the property, or the satisfaction of any alternative conditions under Section 2-1578 of the City's Code of Ordinances, the City Attorney is hereby directed to prepare a Quitclaim Deed or Limited Warranty Deed and other appropriate documents to effectuate the abandonment authorized by this ordinance.

Section 8: That the Mayor or his designee be and is hereby authorized to execute a Quitclaim deed to convey any interest that the City may have in the above-described abandoned property (herein described in Exhibits "A" and "B").

Section 9: That all existing ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict only.

13-0514

**AN ORDINANCE BY  
COUNCILMEMBER H. LAMAR WILLIS**

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**WHEREAS**, the abandoned portion of the above described property will become part of the abutting property owner's private property, and will be such owner's responsibility to maintain, operate, and provide all services and utilities for said property; and

**WHEREAS**, this will result in a net abandonment by the City of approximately 2.000 acres; and

**WHEREAS**, the Department of Public Works has reviewed the request from the abutting property owner and has concluded that the abandonment of the portion of the right-of-way described herein will not have any adverse affect on traffic movement now and in the future.

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between Myrtle Drive S.W. continuing in an eastward direction for approximately 390.90 feet to the property line of Harmony Plaza Apartments consisting of approximately 0.916 acres, (described in Exhibits “A” and “B”) is hereby declared no longer useful or necessary for the public’s use and convenience.

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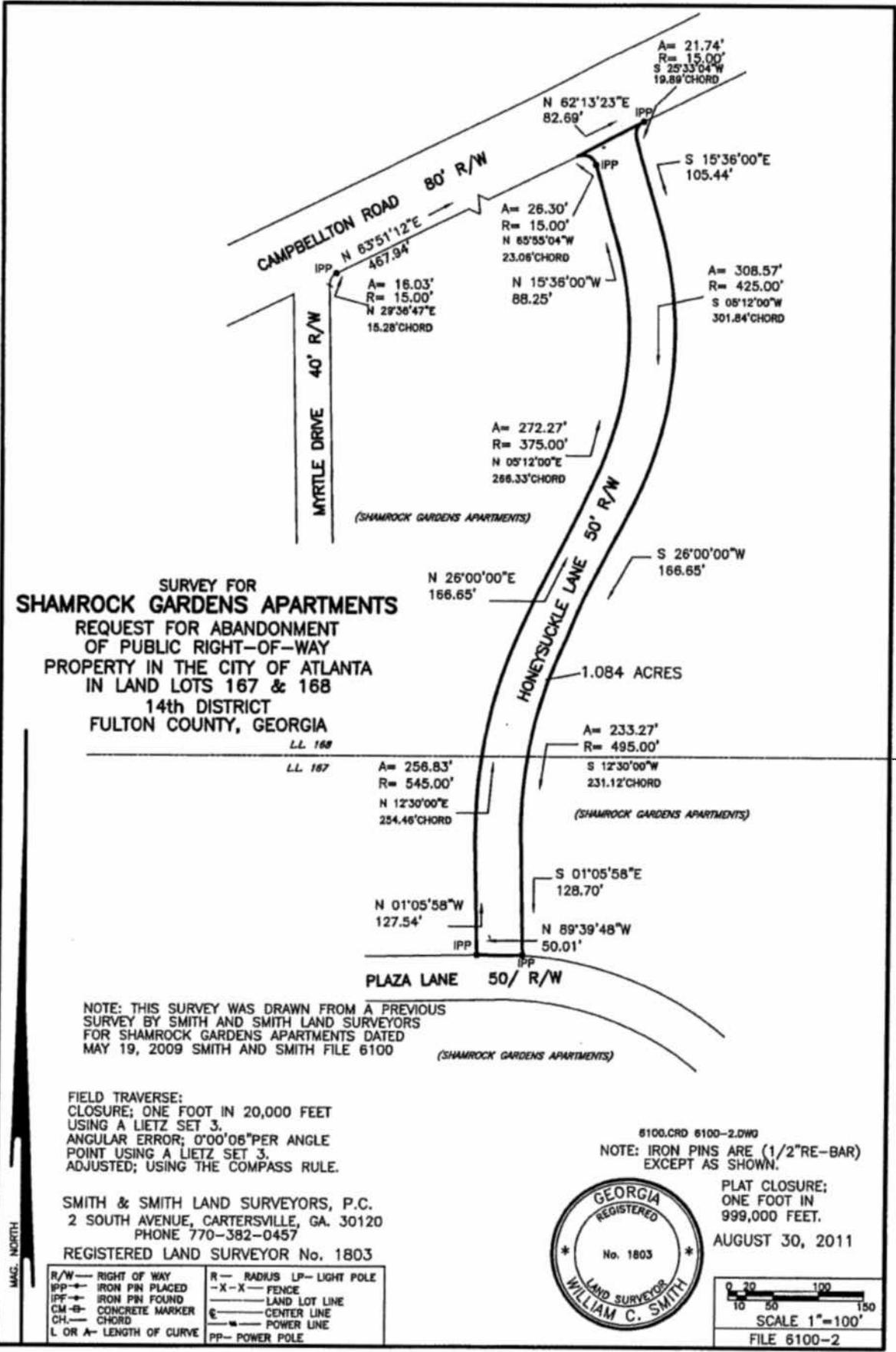
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# EXHIBIT A



# EXHIBIT B

