#10

3504

**14-O-1009**
(Do Not Write Above This Line)

**AN ORDINANCE BY COUNCIL MEMBER KEISHA LANCE BOTTOMS**

**AN ORDINANCE AUTHORIZING THE CHIEF PROCUREMENT OFFICER TO INVITE COMPETITIVE SEALED BIDS FROM INTERESTED PARTIES FOR THE PURCHASE FROM THE CITY OF ATLANTA OF APPROXIMATELY 30.7 ACRES OF LAND IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY; AND FOR OTHER PURPOSES.**

**ADOPTED BY**
JAN 21 2014
**COUNCIL**

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

Date Referred 1/6/14
Referred To: Finance/Exec
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee
Date
Chair
Referred To

| Committee | Committee |
|---|---|
| Fin./Exec | |
| Date 1-13-14 | Date |
| Chair | Chair |
| Action: Fav, Adv, Hold (see rev. side) Other | Action: Fav, Adv, Hold (see rev. side) Other |
| Members | Members |
| Refer To | Refer To |

| Committee | Committee |
|---|---|
| Date | Date |
| Chair | Chair |
| Action: Fav, Adv, Hold (see rev. side) Other | Action: Fav, Adv, Hold (see rev. side) Other |
| Members | Members |
| Refer To | Refer To |

FINAL COUNCIL ACTION
☑ 2nd ☐ 1st & 2nd ☐ 3rd Readings
☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED
JAN 21 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JAN 21 2014
MUNICIPAL CLERK

MAYOR'S ACTION

489536-1

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1009

AN ORDINANCE BY
COUNCIL MEMBER KEISHA LANCE BOTTOMS

**AN ORDINANCE AUTHORIZING THE CHIEF PROCUREMENT OFFICER TO INVITE COMPETITIVE SEALED BIDS FROM INTERESTED PARTIES FOR THE PURCHASE FROM THE CITY OF ATLANTA OF APPROXIMATELY 30.7 ACRES OF LAND IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") has owned approximately 30.7 acres of land in Land Lot 27 of District 14F, Fulton County incorporated for a number of years; and

**WHEREAS**, the subject tract of land is identified as tax parcel 14F-0027-LL-022-9 and is situated along the western boundary of the closed Cascade Road Landfill; and

**WHEREAS**, the Department of Public Works, Office of Solid Waste Services has determined that approximately 30.7 acres of land, the legal description of which is contained in Exhibit "A" attached hereto ("Property"), are surplus to its operational needs; and

**WHEREAS**, the Office of Enterprise Assets Management has also determined the Property to be surplus as set forth in Exhibit "B", attached hereto; and

**WHEREAS**, of the 30.7 acres, 4.3 acres will remain an undisturbed buffer; and

**WHEREAS**, the City desires to sell its interest in the Property pursuant to Section 2-1572 of the Code of Ordinances of the City of Atlanta.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA ORDAINS AS FOLLOWS:**

**SECTION 1**: The City's interest in the 30.7 acres of tax parcel 14-0027-LL-022-9 is no longer needed by the City.

**SECTION 2**: 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 sale of the City's interest, such appraisal and advertising costs to be charged to and paid from FDOA: 5401 (Solid Waste Services Revenue) 130541 (DPW Landfill Closure & PO) 5233001 (Advertising) 4560000 (Closure & Post Closure CA).

**SECTION 3**: Only 26.4 acres of the Property may be developed and the remaining 4.3 acres shall remain an undisturbed buffer.

**SECTION 4**: 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 5**: 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 6**: 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 acceptable to the CPO and is at least equivalent to the appraised market value of the City's interest in the Property.

**SECTION 7**: 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 of Georgia, 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 8**: Subject to an offered price being accepted by the City pursuant to Section 6 herein above, the CPO shall prepare a resolution for consideration by the City Council and the Mayor which shall authorize the sale of the Property to successful offeror.

# LEGAL DESCRIPTION

TRACT 1

ALL THAT PIECE, PORTION, PARCEL OR TRACT OF LAND LOCATED IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY, GEORGIA. SAID TRACT OF LAND CONTAINING 1,225,903.1 SQUARE FEET OR 28.1 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ¾" CRIMP TOP PIPE FOUND AT THE INTESECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF CASCADE ROAD (50' RIGHT-OF-WAY) WITH THE EASTERLY LAND LOT OF SAID LAND LOT 27; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND TRAVELING ALONG SAID EASTERLY LAND LOT LINE, NORTH 0619'45" EAST, A DISTANCE OF 599.88 FEET TO A ½" REBAR FOUND AND THE POINT OF BEGINNING;

THENCE FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID EASTERLY LAND LOT LINE, NORTH 0656'07" EAST, A DISTANCE OF 20.79 FEET TO A ½" OPEN TOP PIPE FOUND; THENCE CONTINUING ALONG SAID EASTERLY LAND LOT LINE, NORTH 0615'19" EAST, A DISTANCE OF 1513.93 FEET TO A 6"X6" CONCRETE MONUMENT FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CSX RAILROAD (120' RIGHT-OF-WAY AT THIS POINT); THENCE LEAVING SAID EASTERLY LAND LOT LINE AND TRAVELING ALONG SAID RAILROAD RIGHT-OF-WAY, SOUTH 6839'22" EAST, A DISTANCE OF 387.48 FEET TO A POINT; THENCE CONTINUING ALONG SAID RAILROAD RIGHT-OF-WAY, ALONG THE ARC OF A CURVE TO THE RIGHT AND ARC DISTANCE OF 349.09 FEET, SAID CURVE HAVING A RADIUS OF 11,592.35 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 6747'36" EAST, A DISTANCE OF 349.07 FEET TO A POINT; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY, SOUTH 0551'16" WEST, A DISTANCE OF 1891.75 FEET TO A ½" REBAR SET; THENCE NORTH 4618'11" WEST, A DISTANCE OF 910.90 FEET TO THE POINT OF BEGINNING.

TRACT 2

ALL THAT PIECE, PORTION, PARCEL OR TRACT OF LAND LOCATED IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY, GEORGIA. SAID TRACT OF LAND CONTAINING 112,691.0 SQUARE FEET OR 2.6 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ¾" CRIMP TOP PIPE FOUND AT THE INTESECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF CASCADE ROAD (50' RIGHT-OF-WAY) WITH THE EASTERLY LAND LAND LOT OF SAID LAND LOT 27; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 4633'31" EAST, A DISTANCE OF 316.06 FEET TO A 1" CRIMP TOP PIPE FOUND; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 4611'04" EAST, A DISTANCE OF 283.91 FEET TO A ½" REBAR FOUND AND THE POINT OF BEGINNING;

THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID RIGHT-OF-WAY LINE, NORTH 0511'29" EAST, A DISTANCE OF 599.95 FEET TO A ¾" CRIMP TOP PIPE FOUND; THENCE SOUTH 4618'11" EAST, A DISTANCE OF 312.12 FEET TO A ½" REBAR SET; THENCE SOUTH 0551'16" WEST, A DISTANCE OF 249.03 FEET TO A 1" CRIMP TOP PIPE FOUND; THENCE NORTH 5336'25" WEST, A DISTANCE OF 113.00 FEET TO A POINT; THENCE SOUTH 0930'04" WEST, A DISTANCE OF 320.70 FEET TO A ½" REBAR FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CASCADE ROAD; THENCE ALONG SAID RIGHT-OF-WAY-LINE, NORTH 4611'03" WEST, A DISTANCE OF 167.78 FEET TO THE POINT OF BEGINNING.

UNDISTURBED BUFFER TRACT

ALL THAT PIECE, PORTION, PARCEL OR TRACT OF LAND LOCATED IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY, GEORGIA. SAID TRACT OF LAND CONTAINING 185,988 SQUARE FEET OR 4.27 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ¾" CRIMP TOP PIPE FOUND AT THE INTESECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF CASCADE ROAD (50' RIGHT-OF-WAY) WITH THE EASTERLY LAND LOT OF SAID LAND LOT 27; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND TRAVELING ALONG SAID EASTERLY LAND LOT LINE, NORTH 0619'45" EAST, A DISTANCE OF 599.88 FEET TO A ½" REBAR FOUND; THENCE LEAVIG SAID LAND LOT LINE, SOUTH 4618'11" EAST, A DISTANCE OF 910.90 FEET TO A 1/2" REBAR SET; THENCE NORTH 05°51'16" EAST, A DISTANCE OF 16.94 FEET TO THE POINT OF BEGINNING;

THENCE FROM SAID POINT OF BEGINNING, NORTH 00°00'00" WEST, A DISTANCE OF 1944.47 FEET TO A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CSX RAILROAD (120' RIGHT-OF-WAY AT THIS POINT); THENCE ALONG SAID RAILROAD RIGHT-OF-WAY, ALONG THE ARC OF A CURVE TO THE RIGHT AND ARC DISTANCE OF 207.08 FEET, SAID CURVE HAVING A RADIUS OF 11,592.35 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 67°26"33" EAST, A DISTANCE OF 207.08 FEET TO A POINT; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY, SOUTH 05°51'16" WEST, A DISTANCE OF 1874.81 FEET TO THE POINT OF BEGINNING.

RCS# 17
1/21/14
1:43 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS

ADOPT

| | |
|---|---|
| YEAS: | 14 |
| NAYS: | 0 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 2 |
| EXCUSED: | 0 |
| ABSENT | 0 |

| | | | |
|---|---|---|---|
| Y Smith | Y Archibong | Y Moore | Y Bond |
| Y Hall | Y Wan | Y Martin | Y Norwood |
| Y Young | NV Shook | Y Bottoms | Y Dickens |
| Y Winslow | Y Adrean | Y Sheperd | NV Mitchell |

+

| | | 01-21-14 |
|---|---|---|
| **ITEMS ADOPTED ON CONSENT** | **ITEMS ADOPTED ON CONSENT** | **ITEMS ADVERSED ON CONSENT** |
| 1. 14-O-1006 | 41. 14-R-3040 | 67. 14-R-3065 |
| 2. 14-O-1000 | 42. 14-R-3041 | 68. 14-R-3066 |
| 3. 14-O-1007 | 43. 14-R-3042 | 69. 14-R-3067 |
| 4. 14-O-1009 | 44. 14-R-3043 | 70. 14-R-3068 |
| 5. 14-O-1010 | 45. 14-R-3044 | 71. 14-R-3069 |
| 6. 14-O-1011 | 46. 14-R-3045 | 72. 14-R-3070 |
| 7. 14-O-1012 | 47. 14-R-3083 | 73. 14-R-3071 |
| 8. 14-O-1013 | 48. 14-R-3046 | 74. 14-R-3072 |
| 9. 14-R-3006 | **ITEMS ADVERSED ON CONSENT** | 75. 14-R-3073 |
| 10. 14-R-3007 | 49. 14-R-3047 | 76. 14-R-3074 |
| 11. 14-R-3000 | 50. 14-R-3048 | 77. 14-R-3075 |
| 12. 14-R-3010 | 51. 14-R-3049 | 78. 14-R-3076 |
| 13. 14-R-3011 | 52. 14-R-3050 | 79. 14-R-3077 |
| 14. 14-R-3012 | 53. 14-R-3051 | 80. 14-R-3078 |
| 15. 14-R-3013 | 54. 14-R-3052 | 81. 14-R-3079 |
| 16. 14-R-3014 | 55. 14-R-3053 | 82. 14-R-3080 |
| 17. 14-R-3016 | 56. 14-R-3054 | 83. 14-R-3081 |
| 18. 14-R-3018 | 57. 14-R-3055 | 84. 14-R-3082 |
| 19. 14-R-3019 | 58. 14-R-3056 | 85. 14-R-3084 |
| 20. 14-R-3020 | 59. 14-R-3057 | 86. 14-R-3085 |
| 21. 14-R-3021 | 60. 14-R-3058 | 87. 14-R-3086 |
| 22. 14-R-3022 | 61. 14-R-3059 | 88. 14-R-3087 |
| 23. 14-R-3023 | 62. 14-R-3060 | 89. 14-R-3088 |
| 24. 14-R-3024 | 63. 14-R-3061 | 90. 14-R-3089 |
| 25. 14-R-3100 | 64. 14-R-3062 | 91. 14-R-3090 |
| 26. 14-R-3025 | 65. 14-R-3063 | 92. 14-R-3091 |
| 27. 14-R-3026 | 66. 14-R-3064 | 93. 14-R-3092 |
| 28. 14-R-3027 | | 94. 14-R-3093 |
| 29. 14-R-3028 | | 95. 14-R-3094 |
| 30. 14-R-3029 | | 96. 14-R-3095 |
| 31. 14-R-3030 | | 97. 14-R-3096 |
| 32. 14-R-3031 | | 98. 14-R-3097 |
| 33. 14-R-3032 | | 99. 14-R-3098 |
| 34. 14-R-3033 | | 100. 14-R-3099 |
| 35. 14-R-3034 | | |
| 36. 14-R-3035 | | |
| 37. 14-R-3036 | | |
| 38. 14-R-3037 | | |
| 39. 14-R-3038 | | |
| 40. 14-R-3039 | | |