

14-2-1050

(Do Not Write Above This Line)

AN ORDINANCE  
BY CITY UTILITIES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE DOCUMENTS THAT WOULD GRANT PERMANENT EASEMENT RIGHTS TO THE GEORGIA POWER COMPANY ACROSS CITY-OWNED PROPERTY ASSOCIATED WITH PERKERSON PARK AT 770 DECKNER AVENUE IN LAND LOT 104 OF THE 14<sup>TH</sup> DISTRICT; AND FOR OTHER PURPOSES.

ADOPTED BY

FEB 03 2014

COUNCIL

Committee City Utilities First Reading  
Date February 14, 2014  
Chair Walter C. Kelly  
Referred To \_\_\_\_\_

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred 1/21/14

Referred To: City Utilities

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Committee City Utilities  
Date 28 2014  
Chair Walter C. Kelly  
Action Fav Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members  
Yaduan  
Walter C. Kelly  
James M. Johnson  
Robert B. ...

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

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

FINAL COUNCIL ACTION  
 2<sup>nd</sup>     1<sup>st</sup> & 2<sup>nd</sup>     3<sup>rd</sup>  
 Readings  
 Consent     V Vote     RC Vote

**CERTIFIED**  
 FEB 03 2014  
 ATLANTA CITY COUNCIL PRESIDENT  
Walter C. Kelly

**CERTIFIED**  
 FEB 03 2014  
Richard L. ...  
 MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

FEB 12 2014

WITHOUT SIGNATURE  
BY OPERATION OF LAW

AN ORDINANCE BY  
CITY UTILITIES COMMITTEE

14-0-1050

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE DOCUMENTS THAT WOULD GRANT PERMANENT EASEMENT RIGHTS TO THE GEORGIA POWER COMPANY ACROSS CITY-OWNED PROPERTY ASSOCIATED WITH PERKERSON PARK AT 770 DECKNER AVENUE IN LAND LOT 104 OF THE 14<sup>TH</sup> DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Parks and Recreation (“DPR”) requested that the Georgia Power Company (“GPC”) provide underground electrical service to a new restroom and mechanical building (the “New Building”) at Perkeron Park, which is located at 770 Deckner Avenue; and

WHEREAS, in order to provide electrical service the New Building, GPC must acquire permanent easements from the City of Atlanta that would allow for the installation and maintenance of power distribution lines and related facilities on and across Fulton County tax parcel number 14-0104-LL-001-5, which is the property associated with Perkeron Park and under the purview of the DPR; and

WHEREAS, in consideration for GPC’s agreement to provide electrical service to the New Building at the request of the City, GPC has requested that the City grant the permanent easement across the property associated with New Building at no cost to GPC.

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

**SECTION 1:** The Mayor or his designee is authorized to execute easement documents conveying permanent easement interests to the Georgia Power Company that would allow for the installation and maintenance of underground power distribution facilities on and across City-owned property at 770 Deckner Avenue, which is identified as Fulton County tax parcel 14-0104-LL-001-5 and operated by the Department of Parks and Recreation as Perkeron Park.

**SECTION 2:** The Mayor or his designee is authorized to convey the permanent easement interests to the Georgia Power Company at no cost.

**SECTION 3:** The City Attorney, or a designee, is authorized to prepare all necessary documents to facilitate this transaction.

**SECTION 4:** This ordinance shall become effective when signed by the Mayor or by operation of law.

A true copy

  
Deputy Clerk

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

FEB 03, 2014  
FEB 12, 2014

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Name of Line CITY OF ATLANTA - PERKERSON PARK (FULTON COUNTY)  
No 13293 DISTRIBUTION LINE  
Parcel No 001 Account No 69596-VBS- -E03112- -GP141-3000000  
Letter File 9-10806 Deed File 19226 Map File \_\_\_\_\_  
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State of Georgia **UNDERGROUND EASEMENT**  
Fulton County

Received of **Georgia Power Company**, hereinafter called the Company, the sum of Ten and 00/100 \*\*\*\*\* Dollars ( \$ 10.00 ), and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, in exchange for which the undersigned **City of Atlanta**, a Municipal Corporation of the State of Georgia, hereinafter the "Undersigned" whose Post Office Address is \_\_\_\_\_

City Hall, 68 Mitchell Street SW Suite 1225, Atlanta, GA 30303 Attn:Real Estate  
does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along, across, under, and through that tract of land owned by the Undersigned at \_\_\_\_\_  
770 Deckner Avenue, Atlanta, GA 30306

(address of property in Land Lot 104 of the 14 Land District,  
Fulton County, Georgia .

Said lands being more particularly described on a plat prepared and engineered by **Boyd Rodgers** for **Georgia Power Company** marked "Exhibit A" and attached hereto and made a part hereof (the "Premises"),

together with the right to construct, operate, and maintain continuously upon and under said land, its lines for transmitting electric current, with wires, transformers, service pedestals, manholes, conduits, cables, and other necessary apparatus, fixtures, and appliances (all being hereinafter referred to as the "Facilities"), with the right to permit the attachment of cables, lines, wires, apparatus, fixtures , and appliances of any of any other company, or person to the Facilities for electric, communications or other purposes, upon or under said lands with necessary applicances with the express understanding that each such other company or person must obtain separate easement rights from the Undersigned; together with the right to assign this easement in whole or in part; together with the right at all times to enter upon the Premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; together with the right to cut away and keep clear of said underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said underground lines, transformers, fixtures and appliances, also the right of ingress and egress over said land from

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Parcel 001 Name of Line CITY OF ATLANTA - PERKERSON PARK (FULTON COUNTY)  
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said lines. The rights herein granted include all the necessary rights for Company and its assigns to install and maintain electrical lines and internal communication facilities to existing and future structure(s) under the easement terms herein provided, on the property of the Undersigned. Any timber cut on said land by or for said Company shall remain the property of the owner of said timber. The Undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

**The rights herein include and embrace the right to clear and keep clear all trees and other obstructions located within ten (10') feet of the underground distribution line.**

Said Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

IN WITNESS WHEREOF, the Undersigned has hereunto set its hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered  
in the presence of:

**CITY OF ATLANTA,**  
a municipal corporation of the State  
of Georgia

\_\_\_\_\_  
Unofficial Witness

By: \_\_\_\_\_  
Mayor Kasim Reed

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_  
Municipal Clerk

My Commission Expires:

(NOTARY SEAL)

Approved as to Form:

\_\_\_\_\_  
Asst. City Attorney



RCS# 40  
2/03/14  
3:03 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS

ADOPT

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

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

CONSENT I

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		02-03-14
<b>ITEMS ADOPTED ON CONSENT</b>		
1. 14-O-1050 2. 14-O-1051 3. 14-O-1052 4. 14-O-1053 5. 14-O-1054 6. 14-O-1047 7. 14-O-1048 8. 14-O-1049 9. 14-R-3104 10. 14-R-3108 11. 14-R-3109 12. 14-R-3110 13. 14-R-3111 14. 14-R-3112 15. 14-R-3113 16. 14-R-3114 17. 14-R-3115 18. 14-R-3117 19. 14-R-3118 20. 14-R-3102 21. 14-R-3103		