

14-0-1088

Committee First Reading  
 Date 2/11/14  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

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

36009

AN ORDINANCE BY  
 FINANCE/ EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE  
 TRANSFER OF CERTAIN PROPERTIES  
 OWNED AND MAINTAINED BY THE CITY OF  
 ATLANTA, BY AND THROUGH THE  
 DEPARTMENT OF WATERSHED  
 MANAGEMENT, AS OPEN GREENSPACE FOR  
 FLOODPLAIN FUNCTION CONSERVATION,  
 TO THE DEPARTMENT OF PARKS AND  
 RECREATION FOR THE PURPOSE OF  
 OPERATING AND MAINTAINING SAID  
 PROPERTIES; TO EXPRESSLY REQUIRE THE  
 PROPERTIES BE TRANSFERRED SUBJECT  
 TO CERTAIN RESTRICTIONS; AND FOR  
 OTHER PURPOSES.

**ADOPTED BY**  
 FEB 17 2014

**COUNCIL**

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

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

Committee \_\_\_\_\_  
 Date 2-14-14  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

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

**CERTIFIED**  
 FEB 17 2014  
 ATLANTA CITY COUNCIL PRESIDENT

Members  
Wanda G. Gresham  
Robert S. Johnson  
Stephany G. Moore  
Stacy S. S. S.

Members  
 \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

**CERTIFIED**  
 FEB 17 2014  
Robert S. Johnson  
 MUNICIPAL CLERK

Committee

Committee

Date

Date

Chair

Chair

Action

Action

Fav, Adv, Hold (see rev. side)

Fav, Adv, Hold (see rev. side)

Other

Other

Members

Members

Refer To

Refer To

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

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

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

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

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

WITHOUT SIGNATURE  
 BY OPERATION OF LAW

FEB 26 2014

**APPROVED**

MAYOR'S ACTION

AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

14-0-1088

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN PROPERTIES OWNED AND MAINTAINED BY THE CITY OF ATLANTA, BY AND THROUGH THE DEPARTMENT OF WATERSHED MANAGEMENT, AS OPEN GREENSPACE FOR FLOODPLAIN FUNCTION CONSERVATION, TO THE DEPARTMENT OF PARKS AND RECREATION FOR THE PURPOSE OF OPERATING AND MAINTAINING SAID PROPERTIES; TO EXPRESSLY REQUIRE THE PROPERTIES BE TRANSFERRED SUBJECT TO CERTAIN RESTRICTIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 1521, *et seq.*, identifies the use of disaster relief funds under § 5170c, Hazard Mitigation Grant Program (“HMGP”), including the acquisition and relocation of structures in the floodplain; and

**WHEREAS**, the HMGP provides a process for a local government, through the state, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the property as open space in perpetuity; and

**WHEREAS**, the State of Georgia (“State”) applied for and was awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency (“FEMA”) and entered into a HMGP Grant Agreement, dated September 17, 2010, with FEMA, making the State a HMGP subgrantee; and

**WHEREAS**, the City of Atlanta (“City”), acting by and through the City of Atlanta Department of Watershed Management (“Department”), applied for and was awarded federal funds, pursuant to an agreement with the State, dated October 4, 2010, making the City a HMGP subgrantee; and

**WHEREAS**, as part of the HMGP, the Department purchased certain parcels for what is referred to as “the Woodward Way Greenspace” and the “Havenridge Drive Greenspace,” including parcels having an address of 473 Woodward Way, Atlanta, GA; 2235 Havenridge Drive, Atlanta, GA; 2243 Havenridge Drive, Atlanta, GA; and 2249 Havenridge Drive, Atlanta, GA (“Property”), said Property being more particularly described in the plats and legal descriptions attached hereto as **Exhibit A**; and

**WHEREAS**, the Property was purchased with HMGP funds and accordingly, the Property shall be maintained as an open greenspace in perpetuity for floodplain function conservation, subject to the terms and conditions contained in the Hazard Mitigation Grant Program (HMPG) Acquisition Grantee-Subgrantee Agreement, attached hereto as **Exhibit B**, and the Deed Restrictions, attached hereto as **Exhibit C**; and

**WHEREAS**, the Commissioner of Parks and Recreation has determined that the Department of Parks and Recreation can operate and maintain the Property as part of the City's parks and recreation system in accordance with the Hazard Mitigation Grant Program (HMPG) Acquisition Grantee-Subgrantee Agreement and the Deed Restrictions; and

**WHEREAS**, the Commissioner of Watershed Management and the Commissioner of Parks and Recreation recommend that the Property be transferred from the purview of the Department of Watershed Management to the Department of Parks and Recreation, subject to the reservations and conditions described herein; and

**WHEREAS**, the Department of Watershed Management will continue maintenance of the Property until July 1, 2014.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS as follows:**

**Section 1:**

Subject to the terms and conditions contained in the Hazard Mitigation Grant Program (HMPG) Acquisition Grantee-Subgrantee Agreement, attached hereto as **Exhibit B**, and the Deed Restrictions, attached hereto as **Exhibit C**, the Mayor, or his authorized designee, is hereby authorized to transfer the Property, being more particularly described in the plats and legal descriptions attached hereto as **Exhibit A**, from the Department of Watershed Management to the Department of Parks and Recreation for park and recreational uses.

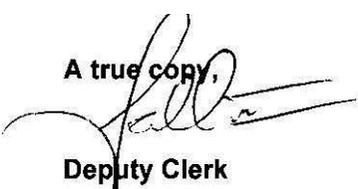
**Section 2:**

The Mayor, or his authorized designee, is authorized to execute any and all instruments or other documents that the City Attorney deems to be necessary or advisable in order to carry out the purposes and intent of this Ordinance.

**Section 3:**

All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only 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

FEB 17, 2014  
FEB 26, 2014

## EXHIBIT "A"

### Legal Description

473 Woodward Way  
(25,276 square feet or 0.580 acres)

All that tract or parcel of land lying and being in Land Lot 145, 17<sup>th</sup> District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a point at the intersection of the northwesterly right of way line of Woodward Way (50 foot right of way) and the westerly right of way line of Alton Road (50 foot right of way) if both right of way lines were straight instead of curved; thence northwest along said northwesterly right of way line of Woodward Way north 37 degrees 08 minutes 13 seconds west, a distance of 53.34 feet to a 1/2" rebar set and the True Point of Beginning; from the True Point of Beginning as thus established thence continuing along said northwesterly right of way line of Woodward Way north 37 degrees 08 minutes 13 seconds west a distance of 16.55 feet to a point; thence continuing along said northwesterly right of way line of Woodward Way along a curve to the left having a radius of 1236.33 feet and an arc length of 196.65 feet, being subtended by a chord of north 41 degrees 41 minutes 37 seconds west a distance of 196.44 feet, to an iron pin found (1/2" rebar); thence leaving said northwesterly right of way line of Woodward Way north 24 degrees 55 minutes 50 seconds east a distance of 113.71 feet to an iron pin found (1/2" rebar); thence south 29 degrees 32 minutes 23 seconds east, a distance of 64.37 feet to an iron pin found (2" open top pipe); thence south 89 degrees 05 minutes 44 seconds east, a distance of 94.99 feet to an iron pin found (1/2" rebar) on the aforementioned westerly right of way line of Alton Road; thence along said westerly right of way line of Alton Road south 00 degrees 24 minutes 57 seconds west, a distance of 194.68 feet to an iron pin set (1/2" rebar); thence along a curve to the right having a radius of 18.13 feet and an arc length of 45.08 feet, being subtended by a chord of south 71 degrees 38 minutes 22 seconds west a distance of 34.34 feet, to the Point of Beginning.

Said property being shown on that certain Boundary Survey, 473 Woodward Way, for Arcadis/BPA, JV, prepared by Agility Surveying Co., Inc. and bearing the seal of Rawle J. Stanley, GRLS No. 2890, dated May 4, 2011.

## EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 145 of the 17<sup>th</sup> District, Fulton County, Georgia, being Lot 9 and part of Lot 10, Block 16, Haynes Manor Subdivision, and part of a proposed street, all as shown on plat recorded at Plat Book 24, Page 70, Fulton County, Georgia Records, and being more particularly described as follows:

BEGINNING at a point on the easterly side of Havenridge Drive, a distance of 350.00 feet southerly, as measured along the easterly side of Havenridge Drive from the corner formed by the intersection of the southerly side of Woodward Way with the easterly side of Havenridge Drive, said point of beginning being on the line dividing Lots 9 and 10, said block and subdivision and plat; running thence south 85 degrees 39 minutes 3 seconds east a distance of 59.86 feet to a point; running thence north 10 degrees 46 minutes 23 seconds east a distance of 2.05 feet to a point; running thence south 85 degrees 09 minutes 35 seconds east a distance of 45.59 feet to a point; running thence south 04 degrees 05 minutes 19 seconds west a distance of 2.02 feet to a point; running thence south 85 degrees 52 minutes 34 seconds east a distance of 106.28 feet to an iron pin found; running thence south 03 degrees 39 minutes 34 seconds west a distance of 87.29 feet to an iron pin found; running thence north 85 degrees 40 minutes 22 seconds west a distance of 211.71 feet along the 50-foot right-of-way of an abandoned road to an iron pin found; running thence north 03 degrees 29 minutes 44 seconds east a distance of 87.32 feet along the right-of-way of Havenridge Drive to an iron pin found and the POINT OF BEGINNING.

EXHIBIT "A"

All and singular that certain tract of land lying in Land Lot 145, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described as follows:

Commencing at a point at the intersection of the southerly right of way line of Woodward Way (50 foot right of way) and the easterly right of way line of Haven Ridge Drive (50 foot right of way), thence south along said easterly right of way line of Haven Ridge Drive 274.1 feet to a ½" open top pipe found and the True Point of Beginning;

From the True Point of Beginning as thus established thence leaving said easterly right of way line of Haven Ridge Drive south 89 degrees 03 minutes 47 seconds east, a distance of 211.89 feet to an iron pin found (1/2" rebar);

Thence south 00 degrees 34 minutes 39 seconds west, a distance of 74.44 feet to an iron pin found (1/2" rebar);

Thence north 89 degrees 27 minutes 03 seconds west, a distance of 106.28 feet to an iron pin set (1/2" rebar);

Thence north 00 degrees 29 minutes 57 seconds east, a distance of 2.02 feet to an iron pin set (1/2" rebar);

Thence north 88 degrees 44 minutes 57 seconds west, a distance of 45.59 feet to an iron pin set (1/2" rebar);

Thence south 07 degrees 11 minutes 01 seconds west, a distance of 2.05 feet to an iron pin set (1/2" rebar);

Thence north 89 degrees 14 minutes 25 seconds west, a distance of 59.86 feet to an iron pin set (1/2" rebar) on the aforementioned easterly right of way line of Haven Ridge Drive;

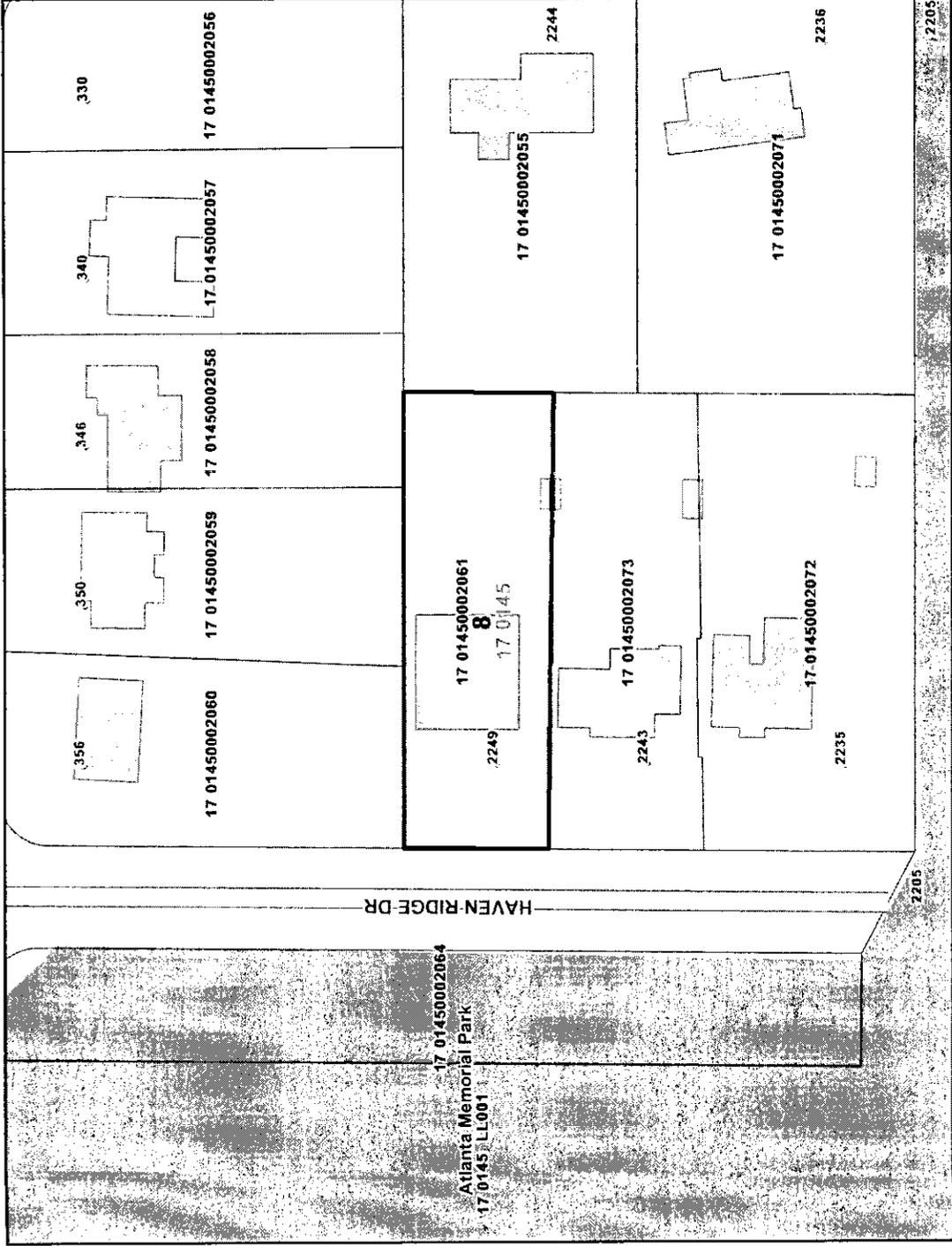
Thence along said easterly right of way line of Haven Ridge Drive north 00 degrees 38 minutes 14 seconds east, a distance of 75.11 feet to the Point of Beginning.

Said property being shown on Boundary Survey, 2243 Haven Ridge Drive, for Arcadis/BPA, JV, prepared by Agility Surveying Co., Inc. and bearing the seal of Rawle J. Stanley GRLS No. 2890, dated August 30, 2011.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 145 of the 17<sup>th</sup> District, Fulton County, Georgia, being Lot 11, Block 16, Haynes Manor Subdivision, according to plat recorded in Plat Book 24, Page 70, Fulton County, Georgia, which said plat is incorporated herein and by this reference made a part hereof.

# 2249 Havenridge Drive



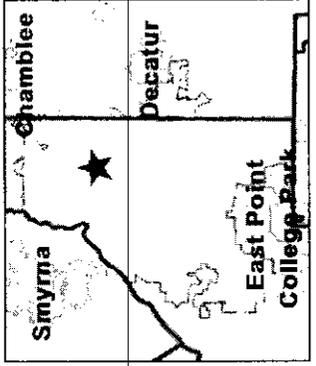
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Scale: 1:1,000



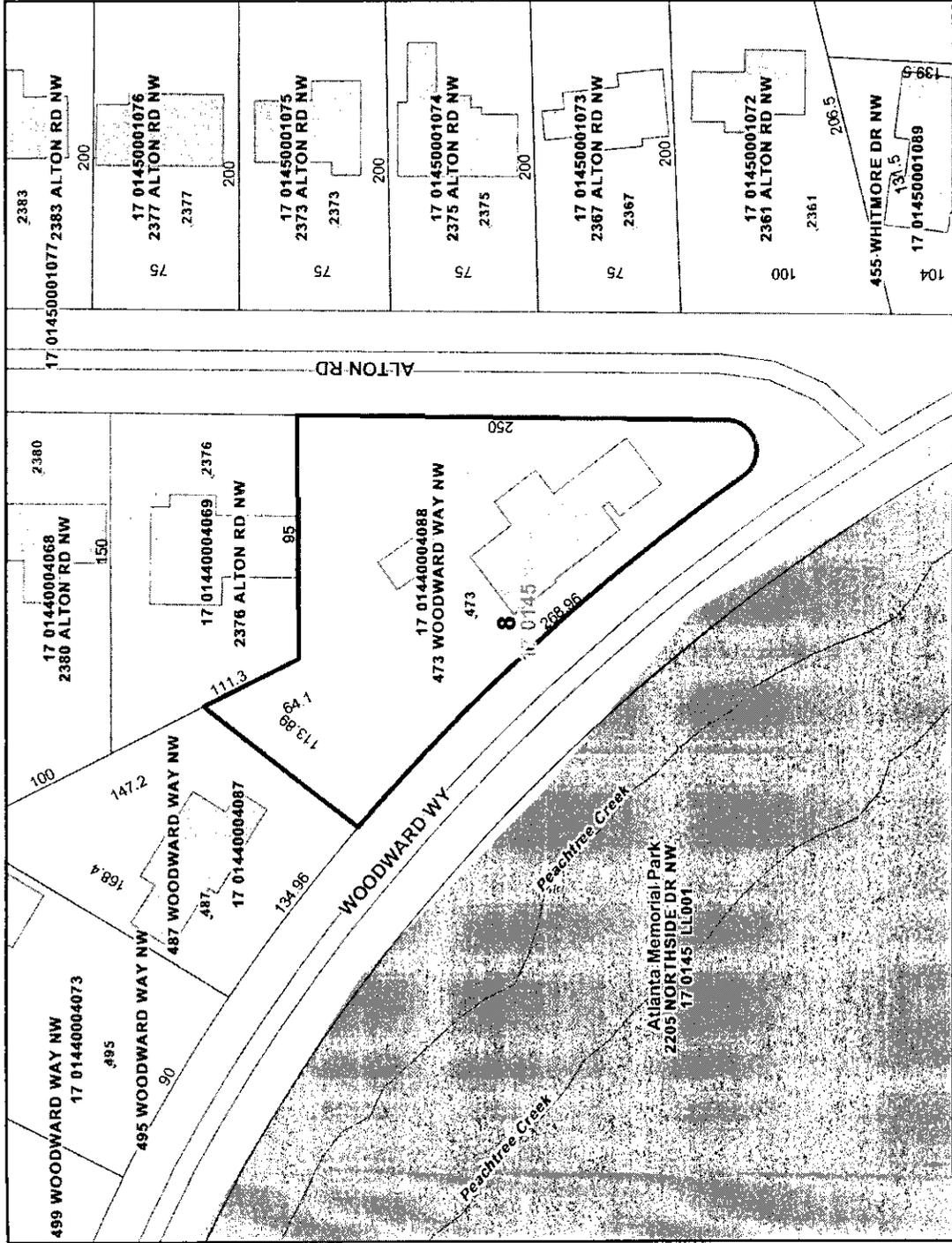
### Legend

- Addresses
- Points of Interest
- ▬ Streets and Highways
- ◀ Other Limited Access
- ▬ State Route
- ▬ Arterial Roads
- ▬ Streets
- ▬ Ramps
- ▬ Unknown
- ▬ Interstates
- ▬ City Council Districts
- ▬ County Boundaries
- ▬ Parcels
- ▬ Building Footprints
- ▬ Airport Labels
- ▬ Airport Runways
- ▬ Runway/Apron/Taxiway
- ▬ Streams
- ▬ Ponds
- ▬ Parks
- ▬ Land Lots
- ▬ Greenway Acquisitions
- ▬ Atlanta City Limits
- ▬ Metro Cities

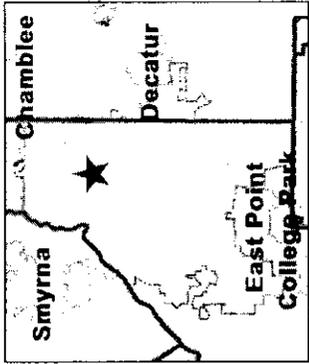


This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

# 473 Woodward Way



Map center: 2224722, 1389587



## Legend

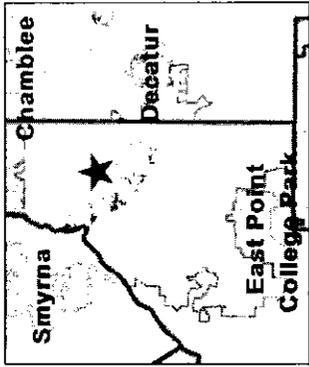
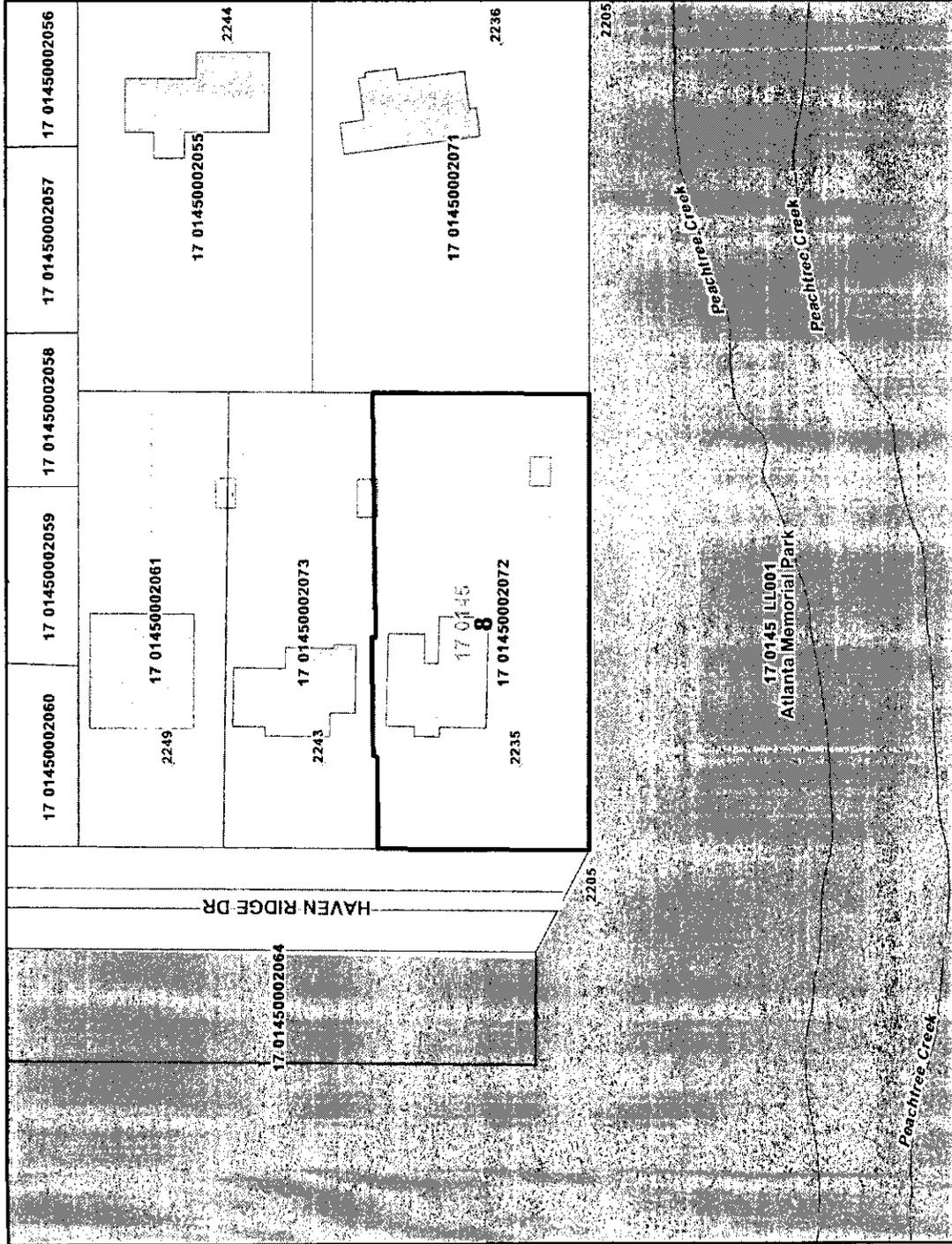
- Addresses
- Points of Interest
- ▬ Streets and Highways
- ▬ Other Limited Access
- ▬ State Route
- ▬ Arterial Roads
- ▬ Streets
- ▬ Ramps
- ▬ Unknown
- ▬ Interstates
- ▬ City Council Districts
- ▬ County Boundaries
- ▬ Parcel Dimensions
- ▬ Parcel Address
- ▬ Parcels
- ▬ Building Footprints
- ▬ Airport Labels
- ▬ Airport Runways
- ▬ Runway/Apron/Taxiway
- ▬ Streams
- ▬ Ponds
- ▬ Parks
- ▬ Land Lots
- ▬ Greenway Acquisitions
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- ▬ Metro Cities



Scale: 1:998

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# 2235 Havenridge Drive



**Legend**

- Addresses
- Points of Interest
- ▬ Streets and Highways
- ◀ Other Limited Access
- ▬ State Route
- ▬ Arterial Roads
- ▬ Streets
- ▬ Ramps
- ▬ Unknown
- ▬ Interstates
- ▬ City Council Districts
- ▬ County Boundaries
- ▬ Parcels
- ▬ Building Footprints
- ▬ Airport Labels
- ▬ Airport Runways
- ▬ Runway/Apron/Taxiway
- ▬ Streams
- ▬ Ponds
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- ▬ Metro Cities

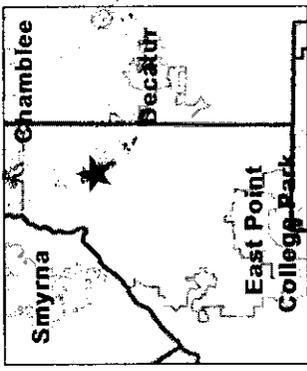
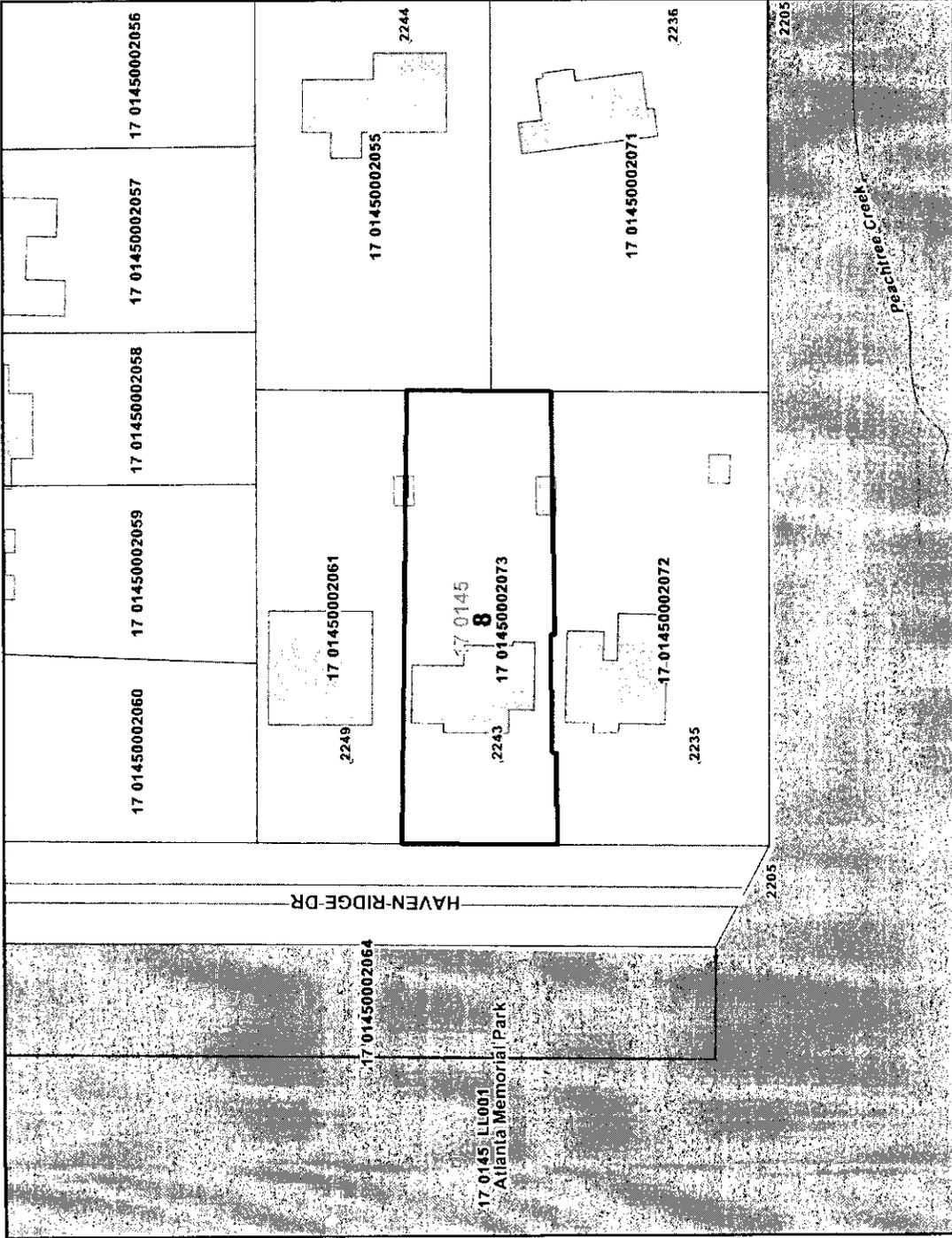
Scale: 1:1,000



Map center: 2225899, 1388278

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# 2243 Havenridge Drive



**Legend**

- Addresses
- Points of Interest
- ▬ Streets and Highways
- ◀ Other Limited Access
- ▶ State Route
- ▬ Arterial Roads
- ▬ Streets
- ▬ Ramps
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- ▬ Ponds
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- ▬ Metro Cities

Scale: 1:1,000



Map center: 2225900, 1388367

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RCS# 99  
2/17/14  
2:51 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS  
EXCEPT 14-O-1072  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

+

		02-17-14
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 14-O-1068	34. 14-R-3154	
2. 14-O-1099	35. 14-R-3155	
3. 14-O-1055	36. 14-R-3156	
4. 14-O-1085	37. 14-R-3157	
5. 14-O-1086	38. 14-R-3158	
6. 14-O-1088	39. 14-R-3159	
7. 14-O-1096	40. 14-R-3160	
8. 14-O-1100	41. 14-R-3161	
9. 14-O-1083	42. 14-R-3162	
10. 14-O-1084	43. 14-R-3163	
11. 14-O-1094	44. 14-R-3164	
12. 14-R-3179	45. 14-R-3165	
13. 14-R-3180	46. 14-R-3166	
14. 14-R-3181	47. 14-R-3167	
15. 14-R-3182	48. 14-R-3168	
16. 14-R-3183	49. 14-R-3169	
17. 14-R-3140	50. 14-R-3170	
18. 14-R-3141	51. 14-R-3171	
19. 14-R-3142	52. 14-R-3172	
20. 14-R-3143	53. 14-R-3173	
21. 14-R-3145	54. 14-R-3174	
22. 14-R-3149	55. 14-R-3175	
23. 14-R-3190	56. 14-R-3176	
24. 14-R-3191	57. 14-R-3177	
25. 14-R-3192	58. 14-R-3178	
26. 14-R-3194		
27. 14-R-3195		
28. 14-R-3196		
29. 14-R-3198		
30. 14-R-3150		
31. 14-R-3151		
32. 14-R-3152		
33. 14-R-3153		