

14-0-1075 15

(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBER

C. To Mills

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON TO THE STATE OF GEORGIA WORLD CONGRESS CENTER AUTHORITY MANGUM STREET (NORTH), BETWEEN HUNTER STREET AND NORTHERLY TERMINUS AT GEORGIA DOME, CONSISTING OF APPROXIMATELY 1.2098 AND 0.2758 ACRES OF LAND RESPECTFULLY, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", LYING AND BEING IN LAND LOT 83 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; TO WAIVE CERTAIN PROVISIONS OF SECTIONS 138-9 (a)(5) and 138-9 (g) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

ADOPTED BY

Committee _____
Date _____
Chair _____
Referred To _____

C. To Mills
Date February 28, 2014
Chair _____

Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Members _____

Refer To _____

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

Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Members _____

Refer To _____

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

CERTIFIED
MAR 03 2014
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 03 2014
Ronald Chapman
MUNICIPAL CLERK

MAYOR'S ACTION

MAR 03 2014

Committee CHLHES
Date _____

COUNCIL
Zhuwan
Date 25 2014

Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

[Signature]

Members _____

[Signature]

[Signature]

[Signature]

APPROVED

MAR 12 2014

WITHOUT SIGNATURE BY OPERATION OF LAW

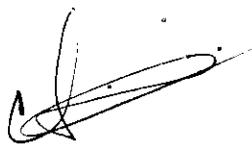
CONSENT REFER
 REGULAR REPORT REFER
 ADVERTISE & REFER
 1ST ADOPT 2ND READ & REFER
 PERSONAL PAPER REFER

Date Referred Referred To: 1/21/14
City Delib's

Date Referred Referred To:

Date Referred Referred To:

Referred To:

AN ORDINANCE
BY COUNCILMEMBER 

14-0-1075

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON TO THE STATE OF GEORGIA WORLD CONGRESS CENTER AUTHORITY MANGUM STREET (NORTH), BETWEEN HUNTER STREET AND NORTHERLY TERMINUS AT GEORGIA DOME, CONSISTING OF APPROXIMATELY 1.2098 AND 0.2758 ACRES OF LAND RESPECTFULLY, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBITS "A" AND "B", LYING AND BEING IN LAND LOT 83 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; TO WAIVE CERTAIN PROVISIONS OF SECTIONS 138-9 (a)(5) and 138-9 (g) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") has received a formal request from the State of Georgia (the "State" Applicant) the owner of abutting property, to abandon Mangum Street between Hunter Street and the Northerly Terminus at Georgia Dome, consisting of approximately 1.2098 and 0.2758 acres of land respectfully and being more specifically described in the attached Exhibits "A" and "B", said property lying and being in Land Lot 83 of the 14th District of Fulton County, Georgia, and

WHEREAS, the Applicant has paid a fee of \$2,500 for the costs of advertisement of the abandonment as specified by Section 138-9(a)(5) of the City of Atlanta Code of Ordinances; and

WHEREAS, the Applicant has requested that the City waive the appraisal and the payment of fair market value requirements of the abandoned property contained in Sections 138-9 (a)(5) and 138-9 (c) of the Code of Ordinances because among other things, the proposed abandonment will directly benefit the City by providing property for the construction of the New Stadium Project, a downtown employer expected to create over 1,400 jobs and major tourist attraction expected to bring \$155 million in annual revenue to the City of Atlanta; and

WHEREAS, the Applicant's request to waive payment of fair market value is authorized pursuant to O.C.G.A. 36-37-6(e)(2)(D) which permits the sale or transfer of municipal property to another governing authority or government agency for public purposes; and

WHEREAS, Mangum Street, to be abandoned will become part of the abutting property owner's private property, and it will be such owner's responsibility to maintain, operate, and provide all services and utilities associated with the abandoned property; and

WHEREAS, the Department of Public Works has reviewed the request from the Applicant and has concluded that the abandonment of the right-of-way as described in Exhibits "A" and "B" is no longer necessary for the public's use and convenience as a public right-of-way.

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

Section 1: That any and all portions of Mangum Street between Hunter Street and the Northerly Terminus at Georgia Dome, consisting of approximately 1.2098 and 0.2758 acres of land respectfully and being more specifically described in the attached Exhibits "A" and "B", said property lying and being in Land Lot 83 of the 14th District of Fulton County, Georgia 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 Mangum Street as hereinabove defined and as depicted in the attached Exhibits "A" and "B".

Section 3: 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 4: That the provisions of 2-1578 and 138-9 (c) of the Code of Ordinances are hereby waived, solely as they relate to the requirement that the City receive an appraisal and be paid the fair market value of the abandoned property as the property is subject to transfer pursuant to O.C.G.A. 36-37(e)(2)(D) which authorizes the sale or transfer of municipal property to another governing authority or government agency for public purposes.

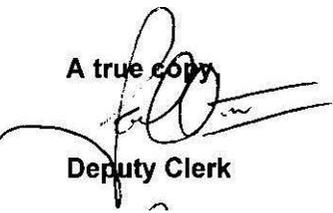
Section 5: That the Chief Procurement Officer shall perform all other responsibilities concerning the proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

Section 6: That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and 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 and other appropriate documents to effectuate the abandonment authorized by this ordinance.

Section 7: 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-referenced Mangum Street (herein described in Exhibits "A" and "B"), provided however that the abandonment, relinquishment and quitclaim authorized herein is subject to all existing easement rights of others, if any, apparent or non-apparent, aerial, surface, underground or otherwise.

Section 8: That all existing ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict only.

A true copy


Deputy Clerk

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

MAR 03, 2014
MAR 12, 2014

RCS# 168
3/03/14
6:19 PM

Atlanta City Council

MULTIPLE

14-O-1075;14-O-1076;14-O-1077;14-O-1078
14-O-1079 AND 14-O-1080

ADOPT

YEAS: 11
NAYS: 1
ABSTENTIONS: 1
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

MULTIPLE