

14-R-3262

(Do Not Write Above This Line)

A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA'S INTERESTS IN CERTAIN PROPERTY LOCATED ON THE SOUTHWEST CORNER OF FLAT SHOALS AVENUE AND METROPOLITAN AVENUE IN LAND LOT 177 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, PURSUANT TO ORDINANCE 13-0-1276, TO PACES PROPERTIES, LLC; TO RAIFY THE SALE OF THE AFOREMENTIONED PROPERTY; TO AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED FOR THE AFOREMENTIONED PROPERTY; AND FOR OTHER PURPOSES.

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

ADOPTED BY
MAR 0 3 2014
COUNCIL

Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Finance/Executive
Committee
Date 3-26-14
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Members
Yvonne Campbell
Paula Smith
John L. Moore
James
Refer To _____

Committee

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

Members

Refer To _____

FINAL COUNCIL ACTION

2nd Reading
 1st & 2nd
 3rd
 Consent
 V Vote
 RC Vote

CERTIFIED
MAR 0 3 2014
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 0 3 2014
Rachel Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 1 2 2014

WITHOUT SIGNATURE
BY OPERATION OF LAW

3822

**A RESOLUTION BY
FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA'S INTERESTS IN CERTAIN PROPERTY LOCATED ON THE SOUTHWEST CORNER OF FLAT SHOALS AVENUE AND METROPOLITAN AVENUE IN LAND LOT 177 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, PURSUANT TO ORDINANCE 13-O-1276, TO PACES PROPERTIES, LLC; TO RATIFY THE SALE OF THE AFOREMENTIONED PROPERTY; TO AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED FOR THE AFOREMENTIONED PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") owns property located on the southwest corner of Flat Shoals Avenue and Metropolitan Avenue which is identified in the DeKalb County tax records as tax parcel 15-177-03-020 ("Property"); and

WHEREAS, based on a recent survey attached as Exhibit "A", the Property totals approximately 0.193 acres; and

WHEREAS, the Property was previously operated by City of Atlanta Fire Rescue Department ("AFR") as Fire Station 13; and

WHEREAS, a new Fire Station 13 was constructed on the northwest corner of Flat Shoals Avenue and Metropolitan Avenue and was opened in 2010; and

WHEREAS, pursuant to Ordinance 13-O-1276, adopted by the Atlanta City Council on October 7, 2013 and approved by the Mayor on October 16, 2013, it was determined that (1) the Property is no longer used or needed by the City and (2) it is desirable for the City to sell the property pursuant to the competitive sealed bidding process described in Section 2-1572 of the Procurement and Real Estate Code; and

WHEREAS, the Office of Enterprise Assets Management ("OEAM"), through the Chief Procurement Officer ("CPO") advertised for the receipt of sealed bids for the sale of the Property by the City beginning November 5, 2013, and ending December 20, 2013; and

WHEREAS, OEAM, through the CPO, obtained a sealed appraisal of the Property that was completed by an independent, state-certified general appraiser who determined the value as of December 17, 2013 to be \$155,000; and

WHEREAS, the highest responsible bid (the "Highest Bid") was submitted by Paces Properties, LLC ("Paces"), which offered \$103,000 to purchase the Property; and

WHEREAS, in conjunction with the submission of the Highest Bid, Paces submitted bid security ("Bid Security") in the amount of \$10,300; and

WHEREAS, the Bid Security equaled at least 10% of the bid amount as required by the Section 2-1573 of the Procurement and Real Estate Code; and

WHEREAS, through subsequent negotiation allowed by the Procurement and Real Estate Code, Paces increased their offer to purchase the Property from \$103,000 to \$106,000 (the "Revised Bid"); and

WHEREAS, the balance due to complete a purchase for the Property would equal \$95,700 (the "Remaining Balance"); and

WHEREAS, OEAM and the CPO recommend acceptance of the Revised Bid for purchase of the Property.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Revised Bid amount of \$106,000 offered by Paces for the Property be accepted and the Property be sold to Paces pursuant to the Procurement and Real Estate Code.

BE IT FURTHER RESOLVED that the Bid Security amount of \$10,300 and the Remaining Balance amount of \$95,700 be deposited in Fund 1001 (General Fund), Department 000002 (Revenue Dept.), Account 3922001 (Proceeds of Sale), Function Activity 0000000 (Balance Sheet).

BE IT FURTHER RESOLVED that the City Attorney or her designee is directed to prepare a quitclaim deed to be executed by the Mayor, as well as other related closing documents that may be necessary for the transfer of the Property to Paces in return for the transfer of the Property to Paces.

BE IT FINALLY RESOLVED that said quitclaim deed will not become binding on the City, and the City will incur no liability under it, until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk and delivered to Paces.

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

EXHIBIT A

FIELD DATES: 6/21 & 27/13

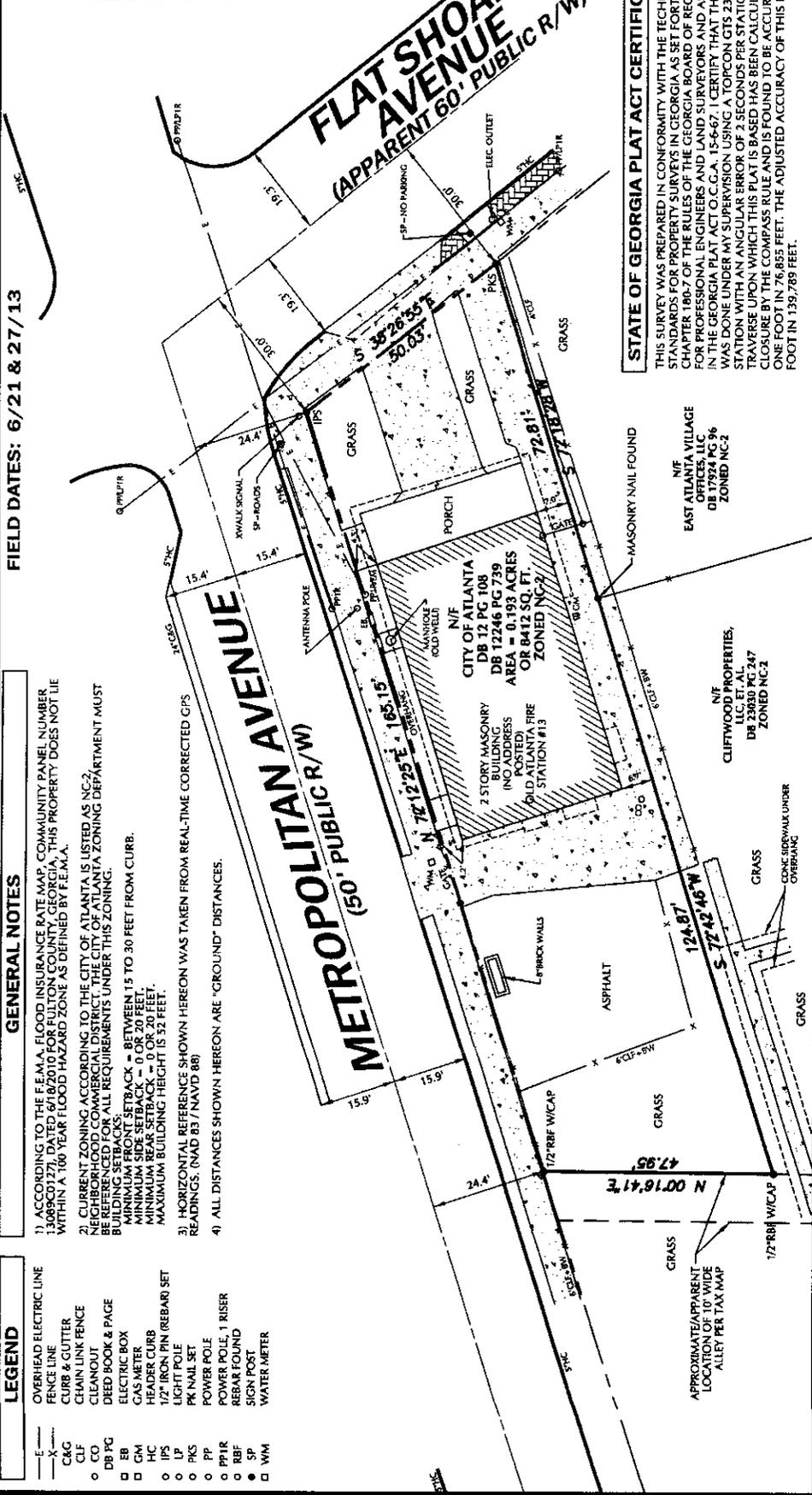
GENERAL NOTES

- 1) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13089C0127, DATED 6/18/2010 FOR FULTON COUNTY, GEORGIA, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A.
- 2) CURRENT ZONING ACCORDING TO THE CITY OF ATLANTA IS LISTED AS NC-2 NEIGHBORHOOD COMMERCIAL DISTRICT. THE CITY OF ATLANTA ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.
- 3) BUILDING SETBACKS: SETBACK BETWEEN 15 TO 30 FEET FROM CURB. MINIMUM REAR SETBACK = 0 OR 20 FEET. MINIMUM REAR SETBACK = 0 OR 20 FEET. MAXIMUM BUILDING HEIGHT IS 32 FEET.
- 4) HORIZONTAL REFERENCES SHOWN HEREON WAS TAKEN FROM REAL-TIME CORRECTED GPS READINGS. (NAD 83 / NAVD 86)
- 5) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES.

LEGEND

- E OVERHEAD ELECTRIC LINE
- X FENCE LINE
- C&G CURB & GUTTER
- CLF CHAIN LINK FENCE
- CO CLEANOUT
- DB PG DEED BOOK & PAGE
- EB ELECTRIC BOX
- GN GAS METER
- HC HEADER CURB
- IPS 1/2" IRON PIN (REBAR) SET
- LP LIGHT POLE
- PK PK NAIL SET
- PP POWER POLE
- PFR POWER POLE, 1 RISER
- RFB REBAR FOUND
- SP SIGN POST
- WM WATER METER

GRID NORTH
GEORGIA WEST ZONE



STATE OF GEORGIA PLAT ACT CERTIFICATION

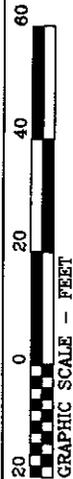
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 186-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. I CERTIFY THAT THIS SURVEY WAS DONE UNDER MY SUPERVISION USING A TOPCON GTS 233W TOTAL STATION WITH AN ANGULAR ERROR OF 2 SECONDS PER STATION. THE TRAVERSE UPON WHICH THIS PLAT IS BASED HAS BEEN CALCULATED FOR CLOSURE ERROR IN THE FEET. THE ADJUSTED ACCURACY OF THIS PLAT IS ONE FOOT IN 139,789 FEET.

BOUNDARY SURVEY FOR:
THE CITY OF ATLANTA

VALENTINO & ASSOCIATES INC.
LAND SURVEYORS
1280 WINCHESTER PARKWAY
SUITE 243
SMYRNA, GEORGIA 30080
PHONE: (770) 435-0015
FAX: (770) 435-0030
WEB: WWW.VASURV.COM
STATE OF GEORGIA LAND SURVEYING FRANCHISE LICENSE NO. L58000794



SCALE:	1" = 20'
DATE:	7/2/2013
JOB NUMBER:	13-035
FILE NUMBER:	13-035
PLOTTED:	7/2/2013
SHEET	1 OF 1



LAND LOT 177, 15TH DISTRICT, CITY OF ATLANTA, DEKALB COUNTY, GEORGIA

2809

FINAL COUNCIL ACTION

130-107
AN ORDINANCE BY THE SELECTIVE COMMITTEE TO AMEND THE ZONING MAP OF THE CITY OF CHICAGO

HEALTHY YOUNGSTERS

CONFIRMED
OCT 17 2013

Committee: Finance/Planning
Chair: [Signature]
Referred To: [Signature]

First Reading

MAYOR'S ACTION
APPROVED
OCT 16 2013
MAYOR'S SIGNATURE BY CHIEF OF STAFF

Complete Date
Chair
Action
Other
Members
Refer To

Complete Date
Chair
Action
Other
Members
Refer To

Complete Date
Chair
Action
Other
Members
Refer To



**AN ORDINANCE BY
FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE TO DECLARE CITY-OWNED PROPERTY LOCATED ON THE SOUTHWEST CORNER OF FLAT SHOALS AVENUE AND METROPOLITAN AVENUE IN LAND LOT 177 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA AS SURPLUS; TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF SAID PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") owns property located on the southwest corner of Flat Shoals Avenue and Metropolitan Avenue which is identified in the DeKalb County tax records as tax parcel 15-177-03-020 (the "Property"); and

WHEREAS, based on a recent survey attached as Exhibit "A", the Property totals approximately 0.193 acres; and

WHEREAS, the Property was previously operated by City of Atlanta Fire Rescue Department ("AFR") as Fire Station 13; and

WHEREAS, a new Fire Station 13 was constructed on the northwest corner of Flat Shoals Avenue and Metropolitan Avenue and was opened in 2010; and

WHEREAS, the Fire Chief of AFR has determined that the Property is surplus to its needs; and

WHEREAS, the Office of Enterprise Assets Management recommends the Property be surplused for sale and sold by competitive sealed bid.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1: That the City's interest in the Property is no longer needed by the City.

SECTION 2: That 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 the sale of the City's interest, such appraisal and advertising costs to be charged to and paid from Fund: 1001 (General Fund) Department: 040417 (EXE Real Estate Portfolio) Account: 521200 (Consulting, Professional) Activity: 1512000 (Accounting).

SECTION 3: That 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 4: That 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 5: That 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 at least equal to the appraised value of the City's fee estate in the Property.

SECTION 6: That 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, 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 7: That Section 2-1572(c) (3) a. is hereby waived which requires that the CPO obtain a land survey since one was recently completed.

SECTION 8: This ordinance shall become effective when signed by the Mayor or by operation of law.

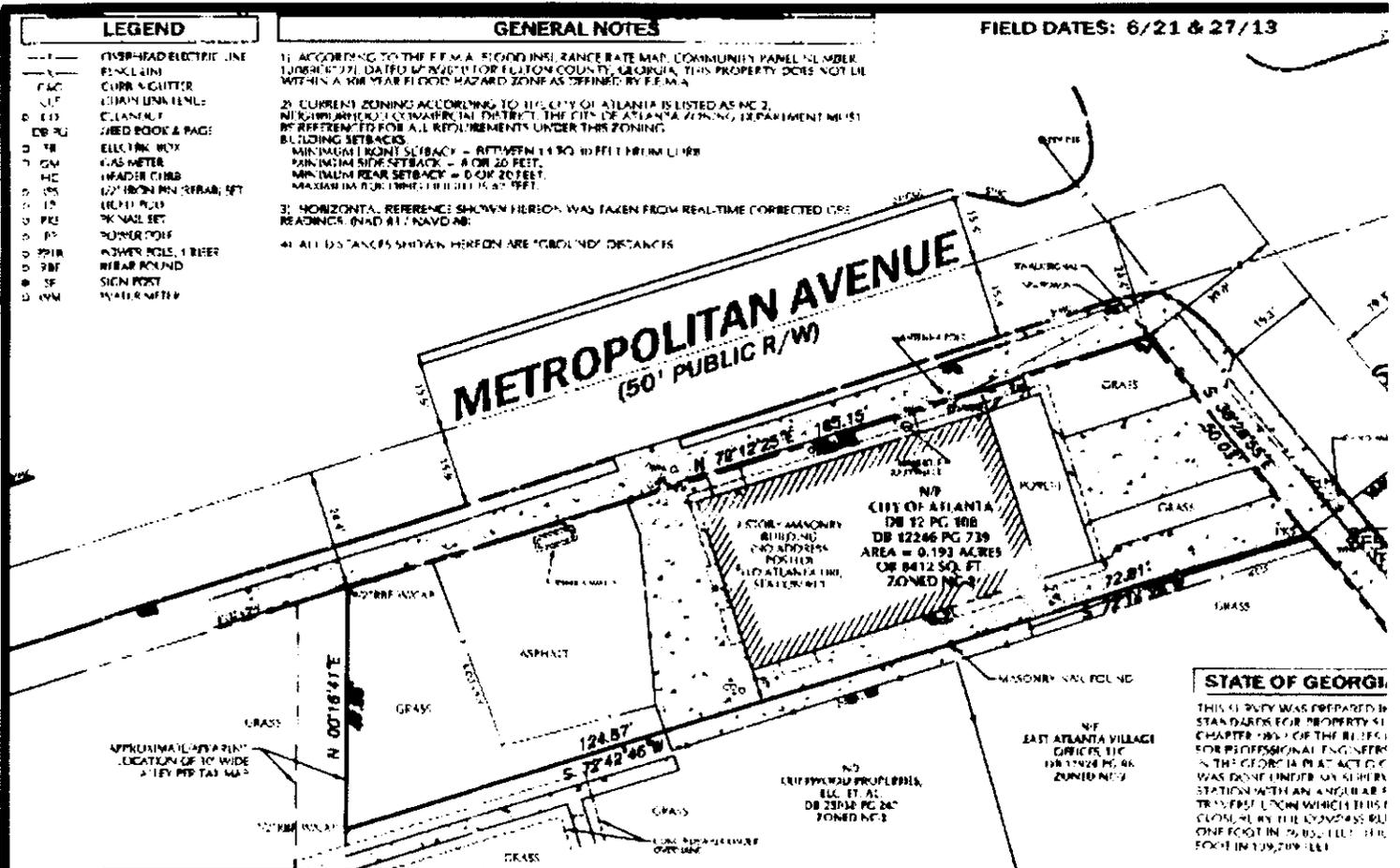
LEGEND

- OVERHEAD ELECTRIC LINE
- PEXLINE
- CURB & GUTTER
- CHAIN LINK FENCE
- CLANKET
- CURB ROOK & PAGE
- TR ELECTRIC BOX
- GAS METER
- W/HEADER CURB
- 12" IRON PIPE (STEEL) SET
- LIGHT POLE
- 2" X 4" NAIL SET
- POWER POLE
- POWER POLE, 1 BEER
- W/BEAR ROUND
- SIGN POST
- WATER METER

GENERAL NOTES

- 1) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13084C0271, DATED 07/20/01 FOR FULTON COUNTY, GEORGIA, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A.
- 2) CURRENT ZONING ACCORDING TO THE CITY OF ATLANTA IS LISTED AS PG 2, NEIGHBORHOOD COMMERCIAL DISTRICT. THE CITY OF ATLANTA ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.
- 3) HORIZONTAL REFERENCE SHOWN HEREON WAS TAKEN FROM REAL-TIME CORRECTED GPS READING (NAD 83 NAVD 83).
- 4) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES.

FIELD DATES: 6/21 & 27/13



STATE OF GEORGIA
 THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS FOR PROFESSIONAL ENGINEERS AND SURVEYORS AS SET FORTH IN CHAPTER 49-1-1 OF THE OFFICIAL CODE OF GEORGIA. THE SURVEY WAS DONE UNDER MY SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER AND SURVEYOR IN THE STATE OF GEORGIA. MY LICENSE NUMBER IS 13084C0271.

SCALE	1" = 20'
DATE	7/2/2013
JOB NUMBER	13-035
FILE NUMBER	13-075
PLOTTED	7/2/2013
SHEET	
1 OF 1	



VALENTINO & ASSOCIATES INC.
 LAND SURVEYORS
 1200 W. WASHINGTON PARKWAY
 SUITE 201
 NAYLORVILLE, GEORGIA 30066
 PHONE: (770) 438-7011
 FAX: (770) 438-6690
 WITH PROFESSIONAL SURVEYOR LICENSE
 STATE OF GEORGIA LAND SURVEYING BOARD LICENSE NO. 13084C0271

BOUNDARY SURVEY FOR

THE CITY OF ATLANTA

GRAPHIC SCALE FEET

LAND LOT 177 15TH DISTRICT CITY OF ATLANTA DEKALB COUNTY, GEORGIA

EXHIBIT A

PART 1 OF 2



EXHIBIT A

PART 2 OF 2

LEGAL DESCRIPTION (BASED ON THIS SURVEY)

All that tract or parcel of land lying and being in Land Lot 177 of the 15th Land District, City of Atlanta, DeKalb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #13-035; Drawing/File #13-035), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1/2"iron pin set at the intersection of the southerly right-of-way line of Metropolitan Avenue (50' public r/w) and the southwesterly right-of-way line of Flat Shoals Avenue (apparent 60' public r/w).

THENCE proceeding along said southwesterly right-of-way line of Flat Shoals Avenue South 38 degrees 26 minutes 55 seconds East for a distance of 50.03 feet to a PK (masonry) nail set;

THENCE departing said southwesterly right-of-way line of Flat Shoals Avenue South 72 degrees 18 minutes 28 seconds West for a distance of 72.81 feet to a masonry nail found;

THENCE South 72 degrees 42 minutes 46 seconds West for a distance of 124.87 feet to a 1/2"rebar with cap found;

THENCE North 00 degrees 16 minutes 41 seconds East for a distance of 47.95 feet to a 1/2"rebar with cap found on the southerly right-of-way line of Metropolitan Avenue;

THENCE proceeding along said southerly right-of-way line of Metropolitan Avenue North 72 degrees 12 minutes 25 seconds East for a distance of 165.15 feet to a 1/2"iron pin set at the intersection of the southerly right-of-way line of Metropolitan Avenue and the southwesterly right-of-way line of Flat Shoals Avenue, said 1/2"iron pin set being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.193 acres or 8412 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 12, Page 108 (and also being a portion of the same tract of land that was previously conveyed in Deed Book 12246, Page 739), DeKalb County Georgia Records.

RCS# 3037
10/07/13
3:36 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS
10/7/2013
ADOPT

YEAS: 9
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 3

E Smith	B Archibong	Y Moore	NV Bond
B Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	B Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

RCS# 144
3/03/14
3:25 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS
EXCEPT 14-0-1113; 14-R-3202
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

CONSENT I

+

		03-03-14
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 14-O-1103	34. 14-R-3264	65. 14-R-3232
2. 14-O-1104	35. 14-R-3265	66. 14-R-3233
3. 14-O-1105	36. 14-R-3266	67. 14-R-3234
4. 14-O-1045	37. 14-R-3275	68. 14-R-3235
5. 14-O-1081	38. 14-R-3205	69. 14-R-3236
6. 14-O-1082	39. 14-R-3206	70. 14-R-3237
7. 14-O-1087	40. 14-R-3207	71. 14-R-3238
8. 14-O-1115	41. 14-R-3208	72. 14-R-3239
9. 14-O-1116	42. 14-R-3209	73. 14-R-3240
10. 14-O-1108	43. 14-R-3210	74. 14-R-3241
11. 14-O-1107	44. 14-R-3211	75. 14-R-3242
12. 14-O-1112	45. 14-R-3212	76. 14-R-3243
13. 14-R-3257	46. 14-R-3213	77. 14-R-3244
14. 14-R-3258	47. 14-R-3214	78. 14-R-3245
15. 14-R-3105	48. 14-R-3215	79. 14-R-3246
16. 14-R-3185	ITEMS ADVERSED ON CONSENT	80. 14-R-3247
17. 14-R-3186	49. 14-R-3216	81. 14-R-3248
18. 14-R-3187	50. 14-R-3217	82. 14-R-3249
19. 14-R-3188	51. 14-R-3218	83. 14-R-3250
20. 14-R-3189	52. 14-R-3219	84. 14-R-3251
21. 14-R-3267	53. 14-R-3220	85. 14-R-3252
22. 14-R-3268	54. 14-R-3221	86. 14-R-3253
23. 14-R-3269	55. 14-R-3222	87. 14-R-3254
24. 14-R-3270	56. 14-R-3223	88. 14-R-3255
25. 14-R-3271	57. 14-R-3224	89. 14-R-3256
26. 14-R-3272	58. 14-R-3225	
27. 14-R-3273	59. 14-R-3226	
28. 14-R-3274	60. 14-R-3227	
29. 14-R-3144	61. 14-R-3228	
30. 14-R-3262	62. 14-R-3229	
31. 14-R-3263	63. 14-R-3230	
32. 14-R-3260	64. 14-R-3231	
33. 14-R-3261		