

**AN ORDINANCE BY CITY UTILITIES COMMITTEE 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 14TH DISTRICT; AND FOR OTHER PURPOSES.**

**Review List:**

John Lavelle	Completed	12/31/2013 1:43 PM
Mariangela Corales	Completed	01/02/2014 11:00 AM
Duriya Farooqui	Completed	01/03/2014 9:20 AM
Finance	Skipped	01/08/2014 10:02 AM
Information Technology	Skipped	01/08/2014 10:01 AM
Procurement	Skipped	01/03/2014 4:10 PM
Adam Smith	Skipped	01/03/2014 4:51 PM
Mayor's Office	Completed	01/03/2014 5:11 PM
Office of Research and Policy Analysis	Completed	01/07/2014 3:38 PM
City Utilities Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE BY CITY UTILITIES COMMITTEE 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 14TH 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 Perkerson 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 Perkerson 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 L4-0104-LL-001-5 and operated by the Department of Parks and Recreation as Perkerson 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.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Perceta Alexander

Contact Number: 404.330.6569

Originating Department: OEAM

Committee(s) of Purview: City Utilities

Chief of Staff Deadline: 12/27/2013

Anticipated Committee Meeting Date(s): 1/14/2014 (1<sup>st</sup> Read) & 1/28/2014 (2<sup>nd</sup> Read)

Anticipated Full Council Date: 1/21/2014 (1<sup>st</sup> Read) & 2/3/2014 (2<sup>nd</sup> Read)

Legislative Counsel's Signature: \_\_\_\_\_

*[Handwritten signature]*

Commissioner's Signature: \_\_\_\_\_

*[Handwritten signature]*

Chief Financial Officer: \_\_\_\_\_

Chief Information Officer Signature (for IT Procurements) \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

*[Handwritten signature]*

CAPTION

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.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

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Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: \_\_\_\_\_ Reviewed by: \_\_\_\_\_  
(date) (date)

Submitted to Council: \_\_\_\_\_ (date)

Attachment: 770 Deckner Ave. (14-O-1050 : AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO)

**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.**

**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 Perkerson 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 Perkerson 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 Perkerson 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.

Attachment: 770 Deckner Ave. (14-O-1050 : AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO)

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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- -GP141-30000000  
 Letter File 9-10806 Deed File 19226 Map File \_\_\_\_\_  
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State of Georgia  
Fulton County

**UNDERGROUND EASEMENT**

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 appliances 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

undergr\_nb

Parcel 001 Name of Line CITY OF ATLANTA - PERKERSON PARK (FULTON COUNTY)

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

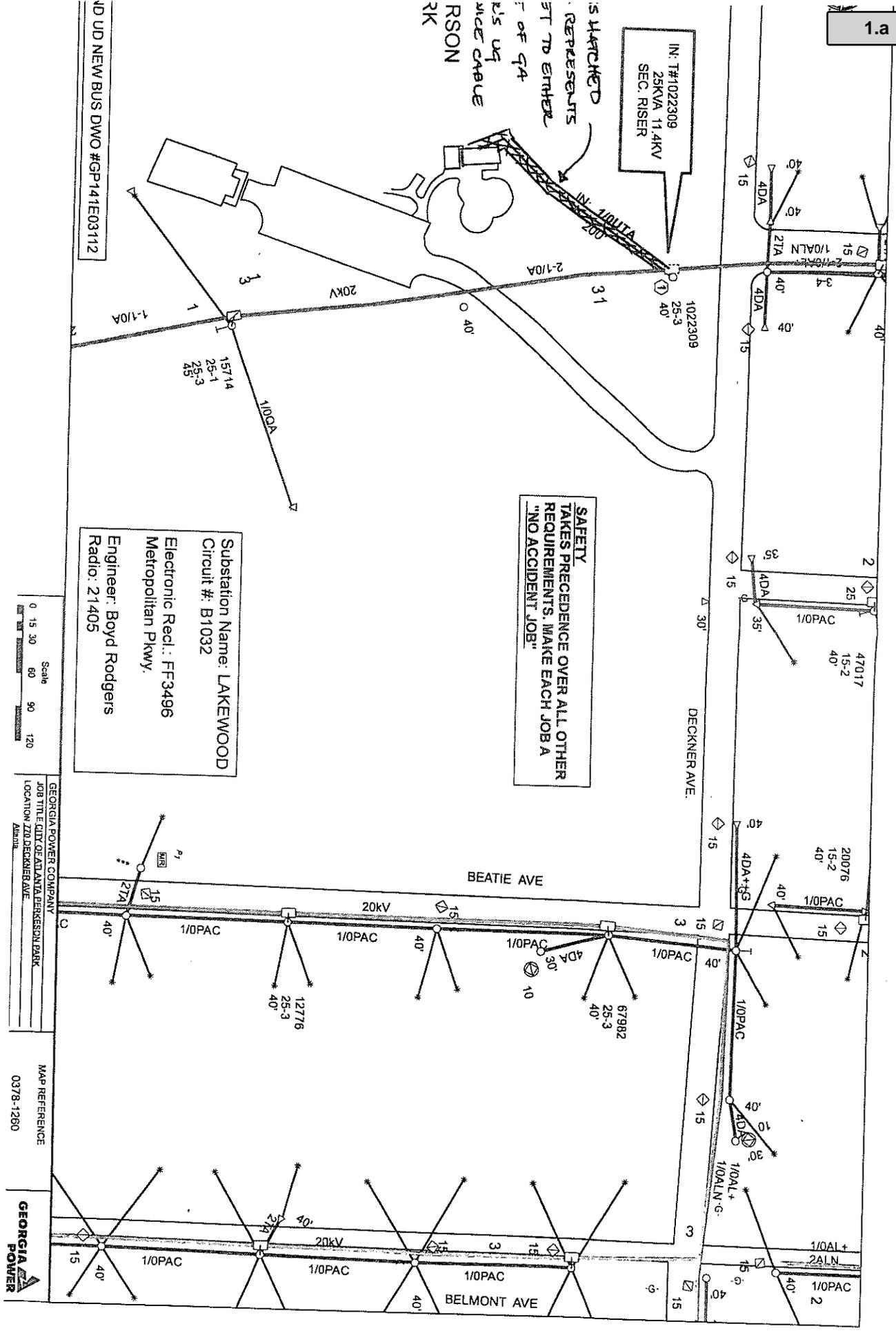
My Commission Expires:

(NOTARY SEAL)

Approved as to Form:

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

Attachment: 770 Deckner Ave. (14-O-1050 : AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO)



**SAFETY**  
 TAKES PRECEDENCE OVER ALL OTHER  
 REQUIREMENTS. MAKE EACH JOB A  
 "NO ACCIDENT JOB"

Substation Name: LAKEWOOD  
 Circuit #: B1032  
 Electronic Reel: FF3496  
 Metropolitan Pkwy.  
 Engineer: Boyd Rodgers  
 Radio: 21405

Scale  
 0 15 30 60 90 120  
 FEET METERS

GEORGIA POWER COMPANY  
 JOB TITLE: CITY OF ATLANTA PERSEUS PARK  
 LOCATION: 770 DECKNER AVE  
 ADMIN:

MAP REFERENCE  
 0378-1260



JD UD NEW BUS DWO #GP141E03112

1.a

EXHIBIT A

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: **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.**

Council Meeting Date: January 21, 2014 (First Read) & February 3, 2014 (Second Read)

Requesting Dept.: Office of Enterprise Assets Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation?

The purpose of this Ordinance is to authorize the Mayor or his designee to execute documents conveying permanent easement interests to the Georgia Power Company ("GPC") that would approve the installation of underground power distribution facilities across City-owned property at 770 Deckner Avenue, which is operated as Perkerson Park by the Department of Parks and Recreation. This legislation will also authorize the Mayor to grant the easements to GPC at no cost.

2. Please provide background information regarding this legislation.

The Department of Parks and Recreation ("DPR") constructed a restroom and mechanical building (the "New Building") at Perkerson Park, on property identified as Fulton County tax parcel number 14-0104-LL-001-5. DPR requested that the Georgia Power Company ("GPC") provide electrical service to this structure. GPC agreed to provide the new service, but requires permanent easements across Perkerson Park for the installation of the distribution lines and related facilities necessary to provide the power. In consideration for GPC's agreement to provide electrical service to the New Building, GPC has requested that the City grant the required permanent easements at no cost.

Attachment: 770 Deckner Ave. (14-O-1050 : AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO)

3. If Applicable/Known:

- (a) Contract Type:
  
  - (b) Source Selection:
  - (c) Bids/Proposals Due:
  - (d) Invitations Issued:
  
  - (e) Number of Bids:
  - (f) Proposals Received:
  - (g) Bidders/Proponents:
  
  - (h) Term of Contract: N/A.
4. Fund Account Center: N/A
5. Source of Funds: N/A
6. Fiscal Impact: N/A
7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Mark Haldane, Real Estate Asset Manager,  
404-865-8586.

<p>(Do Not Write Above This Line)</p> <p>AN ORDINANCE BY CITY UTILITIES COMMITTEE</p> <p>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.</p> <p><input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE &amp; REFER <input type="checkbox"/> 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ &amp; REFER <input type="checkbox"/> PERSONAL PAPER REFER</p> <p>Date Referred _____ Referred To: _____</p> <p>Date Referred _____ Referred To: _____</p> <p>Date Referred: _____ Referred To: _____</p>	<p>Committee _____ Date _____ Chair _____ Referred To _____</p>	<p>First Reading</p> <p><input type="checkbox"/> 2<sup>nd</sup> <input type="checkbox"/> 1<sup>st</sup> &amp; 2<sup>nd</sup> <input type="checkbox"/> 3<sup>rd</sup></p> <p>Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p> <p>CERTIFIED</p>
<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p> <p>Refer To _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p> <p>Refer To _____</p>	<p>MAYOR'S ACTION</p>