

AN ORDINANCE BY COUNCILMEMBER MICHAEL J. BOND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON TO THE STATE OF GEORGIA, MITCHELL STREET CONNECTOR, BETWEEN MARTIN LUTHER KING, JR. DRIVE AND MITCHELL STREET, CONSISTING OF APPROXIMATELY 1.0390 ACRES OF LAND AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT 84 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.(ADVERTISED FOR A PUBLIC HEARING 2/25/14 @ 9:30 A.M.)

**Workflow List:**

Atlanta City Council	Completed	02/05/2014 3:00 PM
City Utilities Committee	Completed	02/07/2014 11:31 AM
Atlanta City Council	Completed	02/08/2014 2:20 PM
City Utilities Committee	Completed	02/20/2014 10:03 AM
Atlanta City Council	Completed	02/20/2014 11:22 AM
City Utilities Committee	Pending	
Mayor's Office	Pending	

**HISTORY:**

01/21/14 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 1/28/2014 9:30 AM</b>
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01/28/14 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/3/2014 1:00 PM</b>
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02/03/14 Atlanta City Council REFERRED AS HELD

<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 2/14/2014 12:30 PM</b>
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02/14/14 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
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02/17/14 Atlanta City Council REFERRED AS HELD

<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 2/25/2014 9:30 AM</b>
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<b>RESULT:</b>	<b>REFERRED AS HELD</b>	<b>Next: 2/25/2014 9:30 AM</b>
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

CITY COUNCIL  
ATLANTA, GEORGIA

14-O-1080

SPONSOR SIGNATURES

A handwritten signature in black ink, appearing to read "Michael Julian Bond". The signature is stylized and written over a horizontal line.

Michael Julian Bond, Councilmember, Post 1 At-Large

**AN ORDINANCE BY COUNCILMEMBER MICHAEL J. BOND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON TO THE STATE OF GEORGIA, MITCHELL STREET CONNECTOR, BETWEEN MARTIN LUTHER KING, JR. DRIVE AND MITCHELL STREET, CONSISTING OF APPROXIMATELY 1.0390 ACRES OF LAND AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT 84 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.(ADVERTISED FOR A PUBLIC HEARING 2/25/14 @ 9:30 A.M.)**

WHEREAS, the City of Atlanta ("City") has received a formal request from the State of Georgia ("State" or "Applicant") the owner of abutting property, to abandon Mitchell Street Connector, between Martin Luther King Jr. Drive and Mitchell Street, consisting of approximately 1.0390 acres of land and being more specifically described in the attached Exhibit "A", said property lying and being in Land Lot 84 of the 14<sup>th</sup> 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 13 8-9( 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, the portion of Mitchell Street Connector 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 Exhibit "A" 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 Mitchell Street Connector, between Martin Luther King Jr. Drive and Mitchell Street, consisting of approximately 0.1204 acres of land and being more specifically described in the attached Exhibit "A", said property lying and being in Land Lot 84 of the 14<sup>th</sup> 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 Mitchell Street Connector as hereinabove defined and as depicted in the attached Exhibit "A".

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 Mitchell Street Connector (herein described in Exhibit "A").

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.

**AN ORDINANCE  
BY COUNCILMEMBER**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON TO THE STATE OF GEORGIA, MITCHELL STREET CONNECTOR, BETWEEN MARTIN LUTHER KING JR. DRIVE AND MITCHELL STREET, CONSISTING OF APPROXIMATELY 1.0390 ACRES OF LAND AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT 84 OF THE 14<sup>TH</sup> 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 ("State" or "Applicant") the owner of abutting property, to abandon Mitchell Street Connector, between Martin Luther King Jr. Drive and Mitchell Street, consisting of approximately 1.0390 acres of land and being more specifically described in the attached Exhibit "A", said property lying and being in Land Lot 84 of the 14<sup>th</sup> 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**, the portion of Mitchell Street Connector 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 Exhibit "A" is no longer necessary for the public's use and convenience as a public right-of-way.

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**Section 2:** That the City hereby expresses its intent to abandon Mitchell Street Connector as hereinabove defined and as depicted in the attached Exhibit “A”.

**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.

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**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 Mitchell Street Connector (herein described in Exhibit “A”).

**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.



## CITY OF ATLANTA

55 TRINITY AVE., SW, ATLANTA, GEORGIA 30303-0324  
 SUITE 4700, CITY HALL - SOUTH  
 (404) 330-6240  
 FAX (404) 658-7552  
 email: publicworks@atlanta.gov

DEPARTMENT OF PUBLIC WORKS

Richard Mendoza  
 Commissioner

Dexter C. White  
 Deputy Commissioner

Kasim Reed  
 MAYOR

### Request for Abandonment of Public Right-of-Way

Date: December 17, 2013

Name of Street: Mitchell Street Connector

Between Martin Luther King Jr. Drive and Mitchell Street

Petitioner Name: Kevin Duvall – Georgia World Congress Center Authority (GWCCA)

**NOTE: Eligible petitioners are abutting property owner and/or their agents.**

Petitioner Phone(s) 404-223-8885 Cell: 678-758-9927 Email: kduvall@gwcc.com

#### Required Submittals

The following submittals are required to initiate the process for consideration of abandonment of a public right-of-way:

1. A survey of plat area to be abandoned. Survey plat must be prepared by a registered surveyor in a manner suitable for filing. Plat is subject to review and approval by the Department of Public Works.
2. A legal description of area to be abandoned on 8 ½ X 11 sheet.
3. A list of all abutting property owners, respective addresses, tax parcel codes, deed book and page number of title.
4. An owner's statement" from each abutting property owner
5. Fee of \$2,500 for streets abutting the development of residential subdivision, commercial or industrial tracts OR a fee of \$2,000 for streets abutting individual residential lots. This fee is applied to the cost of the appraisal of the parcel and advertisement of the proposed abandonment.
6. Any special information deemed necessary or appropriate by the Commissioner of the Department of Public Works
7. Warranty Deeds of all \_\_\_\_\_ properties abutting area to be abandoned.

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

**Certificate of Intent**

I, Kevin Duvall the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

Kevin Duvall, COO

Dale S. Aiken

Notary Public  
*my commission expires 9/26/16*

12/18/2013  
Date

I, Georgia World Congress Center Authority (GWCCA) (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting Mitchell Street Connector a public right-of-way in the City of Atlanta.

I support X / do not support \_\_\_\_\_ the abandonment of the aforementioned right-of-way. If abandoned, I will \_\_\_\_\_ / will not X acquire at fair market value that portion of the right-of-way abutting my property.

Kevin Duvall, COO  
Signature of Property Owner

12-18-13  
Date

KEVIN DUVAL, COO  
Print Name of Property Owner

12-18-13  
Date

Dale S. Aiken  
Notary Public  
*my commission expires 9/26/16*

12/18/2013  
Date

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

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I, Kevin Duvall the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

K Duvall, coo

Alicia S. Aiken  
Notary Public.

12/18/2013  
Date

*my commission expires 9/26/16*

I, City of Atlanta (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting Mitchell Street Connector a public right-of-way in the City of Atlanta.

I support X / do not support \_\_\_\_\_ the abandonment of the aforementioned right-of-way. If abandoned, I will \_\_\_\_\_ / will not X acquire at fair market value that portion of the right-of-way abutting my property.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

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Kevin Duvall, COO

Dale S. Aiken  
Notary Public

12/18/2013  
Date

*my commission expires 9/26/16*

I, Friendship Baptist Church (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting Mitchell Street Connector a public right-of-way in the City of Atlanta.

I support  / do not support  the abandonment of the aforementioned right-of-way. If abandoned, I will  / will not  acquire at fair market value that portion of the right-of-way abutting my property.

[Signature]  
Signature of Property Owner

12/20/2013  
Date

Lloyd Hawk  
Print Name of Property Owner

12/20/2013  
Date

Dale S. Aiken  
Notary Public

12/20/2013  
Date

*my commission expires 9/26/16*

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

**Certificate of Intent**

I, Kevin Duvall the undersigned, do hereby certify that I am the qualified Petitioner for the abandonment of the above listed street and do intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

Kevin Duvall, COO

Dale S. Aiken  
Notary Public

12/18/2013  
Date

*my commission expires 9/26/14*

I, Branch Banking and Trust (BB&T) (owner's name) the undersigned do hereby certify that I am the owner(s) of record of real property abutting Mitchell Street Connector a public right-of-way in the City of Atlanta.

I support X / do not support \_\_\_\_\_ the abandonment of the aforementioned right-of-way. If abandoned, I will \_\_\_\_\_ / will not X acquire at fair market value that portion of the right-of-way abutting my property.

See attached  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

Certificate of Intent

BRANCH BANKING & TRUST COMPANY

I, ~~Natalie A. Covington~~ and Oliver Murray, Jr. the undersigned, do hereby certify that I am the owner(s) of record of real property abutting Martin Luther King Jr. Drive, Mangum Street and Old Mangum Street, public right-of-ways in the City of Atlanta.

I support   X   / do not support \_\_\_\_\_ the abandonment of the aforementioned right-of-ways. If abandoned, I will \_\_\_\_\_ / will not   X   acquire at fair market value that portion of the right-of-way abutting my property.

Natalie Covington, V.P., BB&T as co-trustee  
Signature of Property Owner

12/23/13  
Date

Branch Banking & Trust, Co-Trustee of Trust FBO Shirley H. Hoskins  
Print Name of Property Owner

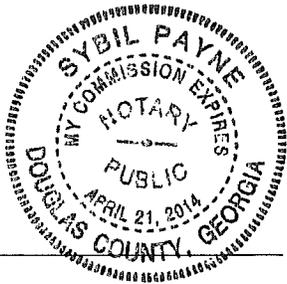
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

Oliver C. Murray, Jr., as Co-Trustee of trust FBO Shirley H. Hoskins and Trustee of trust FBO Douglas O. Horne

Print Name of Property Owner

[Signature]  
Notary Public



12/23/13  
Date

Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)



Certificate of Intent

I, Natalie A. Covington and Oliver Murray, Jr. the undersigned, do hereby certify that I am the owner(s) of record of real property abutting Martin Luther King Jr. Drive, Mangum Street and Old Mangum Street, public right-of-ways in the City of Atlanta.

I support  X  / do not support \_\_\_\_\_ the abandonment of the aforementioned right-of-ways. If abandoned, I will \_\_\_\_\_ / will not  X  acquire at fair market value that portion of the right-of-way abutting my property.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

Branch Banking & Trust, Co-Trustee of Trust FBO Shirley H. Hoskins  
Print Name of Property Owner

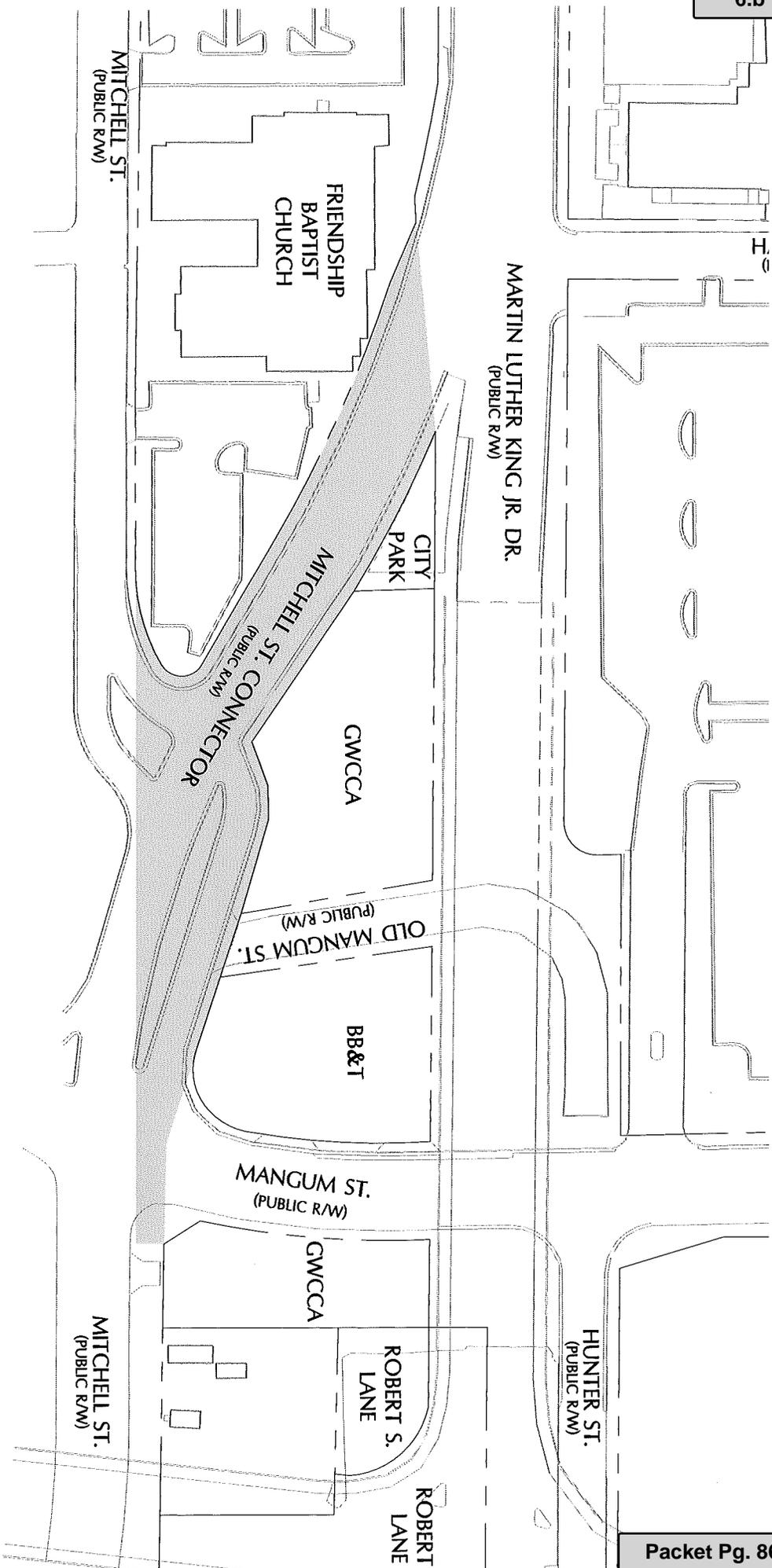
  
Signature of Property Owner

12/20/13  
Date

Oliver C. Murray, Jr., as Co-Trustee of trust FBO Shirley H. Hoskins and Trustee of trust FBO Douglas O. Horne  
Print Name of Property Owner

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

\_\_\_\_\_  
Date



Attachment: (3) Mitchell St Connector App (14-O-1080 : MLK AND MITCHELL ST)

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 84 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

**BEGINNING** at a point located at the intersection of the southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way), and the northeasterly right-of-way line of Mitchell St. Connector (having a variable right-of-way), said point being the **TRUE POINT OF BEGINNING**; Thence, continuing along the northerly right-of-way line of Mitchell St. Connector in a southeasterly direction along a curve to the right having a radius of 1005.68 feet, along a chord bearing of South 63 degrees 42 minutes 47 seconds East, a chord distance of 115.13 feet and an arc length of 115.19 feet to a point; Thence, continue along said right-of-way, South 58 degrees 30 minutes 48 seconds East, for a distance of 139.61 feet to a point; Thence, continuing along the northerly right-of-way line of Mitchell St. Connector in a northeasterly direction along a curve to the right having a radius of 106.00 feet, along a chord bearing of North 86 degrees 10 minutes 18 seconds East, a chord distance of 105.83 feet and an arc length of 110.81 feet to a point; Thence, continue South 63 degrees 52 minutes 33 seconds East, for a distance of 0.59 feet to a point located at the intersection of the westerly right-of-way line of Old Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, departing said right-of-way and crossing over the right-of-way of Old Mangum Street (having a 41.46' right-of-way, as taken from the Right-of-way Plans of Mangum Street Re-locate), South 53 degrees 19 minutes 35 seconds East for a distance of 58.10 feet to a point located at the intersection of the easterly right-of-way line of Old Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, continue along the right-of-way line of Mitchell St. Connector South 71 degrees 40 minutes 06 seconds East, for a distance of 52.83 feet to a right-of-way monument found at the intersection with the westerly right-of-way line of Mangum Street (having a variable right-of-way); Thence, departing said right-of-way line and crossing the right-of-way of Mangum Street, South 88 degrees 37 minutes 52 seconds East, for a distance of 114.07 feet to a right-of-way monument found at the right-of-way intersection of the easterly right-of-way line of Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, continue along said right-of-way line for Mitchell St. Connector, South 32 degrees 20 minutes 12 seconds East for a distance of 26.59 feet to a point; Thence, departing said right-of-way line, South 01 degree 08 minutes 50 seconds West, for a distance of 21.29 feet to a point; Thence, continue North 88 degrees 51 minutes 10 seconds West, for a distance of 509.29 feet to a point located on the northerly right-of-way line of Mitchell St. Connector (having a variable right-of-way); Thence, continue along said right-of-way line the following courses and distances:

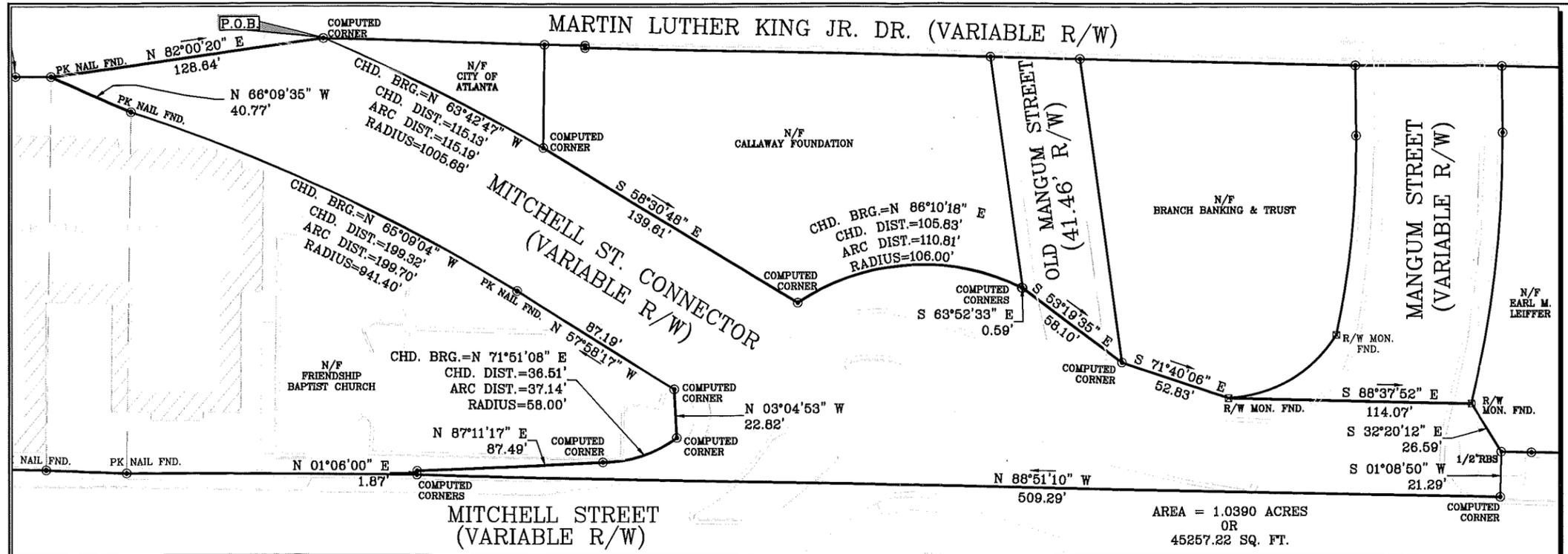
North 01 degree 06 minutes 00 seconds East, for a distance of 1.87 feet to a point; Thence, North 87 degrees 11 minutes 17 seconds East, for a distance of 87.49 feet to a point; Thence, continue in a northeasterly direction along a curve to the left having a radius of 58.00 feet, along a chord bearing of North 71 degrees 51 minutes 08 seconds East, a chord distance of 36.51 feet and an arc length of 37.14 feet to a point; Thence, continue North 03 degrees 04 minutes 53 seconds West, for a distance of 22.82

Attachment: (3) Mitchell Street Connector Legal-Survey (14-O-1080 : MLK AND MITCHELL ST)

feet to a point; Thence, continue North 57 degrees 58 minutes 17 seconds West, for a distance of 87.19 feet to a pk nail found; Thence, continue in a northwesterly direction along a curve to the left having a radius of 941.40 feet, along a chord bearing of North 65 degrees 09 minutes 04 seconds West, a chord distance of 199.32 feet and an arc length of 199.70 feet to a pk nail found; Thence, continue North 66 degrees 09 minutes 35 seconds West, for a distance of 40.77 feet to a pk nail found at the right-of-way line intersection of the northwesterly right-of-way line of Mitchell St. Connector and the southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way); Thence, continue, crossing over the right-of-way of Mitchell St. Connector, North 82 degrees 00 minutes 20 seconds East, for a distance of 128.64 feet to a point located at the right-of-way line intersection of southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way), and the northeasterly right-of-way line of Mitchell St. Connector (having a variable right-of-way), said point being the **TRUE POINT OF BEGINNING**.

Said parcel contains 45257.22 Square Foot of land or 1.0390 Acres.

The intent is to abandon the remainder of the existing right-of-way of Mitchell Street Connector from Martin Luther King Jr. Drive, southerly to Mitchell Street at Mangum Street.



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 84 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

**BEGINNING** at a point located at the intersection of the southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way), and the northeasterly right-of-way line of Mitchell St. Connector (having a variable right-of-way), said point being the **TRUE POINT OF BEGINNING**; Thence, continuing along the northerly right-of-way line of Mitchell St. Connector in a southeasterly direction along a curve to the right having a radius of 1005.68 feet, along a chord bearing of South 63 degrees 42 minutes 47 seconds East, a chord distance of 115.13 feet and an arc length of 115.19 feet to a point; Thence, continue along said right-of-way, South 58 degrees 30 minutes 48 seconds East, for a distance of 139.61 feet to a point; Thence, continuing along the northerly right-of-way line of Mitchell St. Connector in a northeasterly direction along a curve to the right having a radius of 106.00 feet, along a chord bearing of North 86 degrees 10 minutes 18 seconds East, a chord distance of 105.83 feet and an arc length of 110.81 feet to a point located at the intersection of the westerly right-of-way line of Old Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, departing said right-of-way and crossing over the right-of-way of Old Mangum Street (having a 41.46' right-of-way, as taken from the Right-of-way Plans of Mangum Street Re-locate), South 53 degrees 19 minutes 35 seconds East for a distance of 58.10 feet to a point located at the intersection of the easterly right-of-way line of Old Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, continue along the right-of-way line of Mitchell St. Connector South 71 degrees 40 minutes 06 seconds East, for a distance of 52.83 feet to a right-of-way monument found at the intersection with the westerly right-of-way line of Mangum Street (having a variable right-of-way); Thence, departing said right-of-way line and crossing the right-of-way of Mangum Street, South 88 degrees 37 minutes 52 seconds East, for a distance of 114.07 feet to a right-of-way monument found at the right-of-way intersection of the easterly right-of-way line of Mangum Street and the northerly right-of-way line of Mitchell St. Connector; Thence, continue along said right-of-way line for Mitchell St. Connector, South 32 degrees 20 minutes 12 seconds East for a distance of 26.59 feet to a point; Thence, departing said right-of-way line, South 01 degree 08 minutes 50 seconds West, for a distance of 21.29 feet to a point; Thence, continue North 88 degrees 51 minutes 10 seconds West, for a distance of 509.29 feet to a point located on the northerly right-of-way line of Mitchell St. Connector (having a variable right-of-way); Thence, continue along said right-of-way line the following courses and distances:

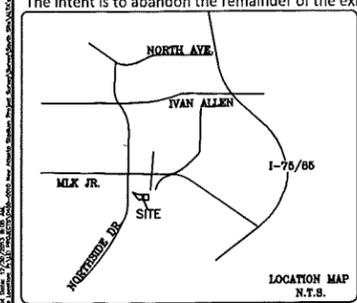
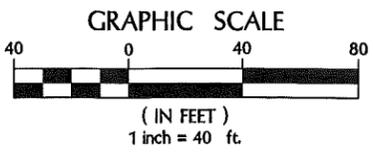
North 01 degree 06 minutes 00 seconds East, for a distance of 1.87 feet to a point; Thence, North 87 degrees 11 minutes 17 seconds East, for a distance of 87.49 feet to a point; Thence, continue in a northeasterly direction along a curve to the left having a radius of 58.00 feet, along a chord bearing of North 71 degrees 51 minutes 08 seconds East, a chord distance of 36.51 feet and an arc length of 37.14 feet to a point; Thence, continue North 03 degrees 04 minutes 53 seconds West, for a distance of 22.82 feet to a point; Thence, continue North 57 degrees 58 minutes 17 seconds West, for a distance of 87.19 feet to a pk nail found; Thence, continue in a northwesterly direction along a curve to the left having a radius of 941.40 feet, along a chord bearing of North 65 degrees 09 minutes 04 seconds West, a chord distance of 199.32 feet and an arc length of 199.70 feet to a pk nail found; Thence, continue North 66 degrees 09 minutes 35 seconds West, for a distance of 40.77 feet to a pk nail found at the right-of-way line intersection of the northwesterly right-of-way line of Mitchell St. Connector and the southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way); Thence, continue, crossing over the right-of-way of Mitchell St. Connector, North 82 degrees 00 minutes 20 seconds East, for a distance of 128.64 feet to a point located at the right-of-way line intersection of southerly right-of-way line of Martin Luther King Jr. Drive (having a variable right-of-way), and the northeasterly right-of-way line of Mitchell St. Connector (having a variable right-of-way), said point being the **TRUE POINT OF BEGINNING**.

Said parcel contains 45257.22 Square Foot of land or 1.0390 Acres.

CERTIFICATE OF SURVEYOR

"I HEREBY CERTIFY TO ALL PARTIES INTERESTED IN THE TITLE TO THE TRACT(S) OF LAND (UNLESS OTHERWISE STATED, HEREINAFTER COLLECTIVELY REFERRED TO IN THE CERTIFICATE AND HEREON AS "THE LAND") SURVEYED AND PLATTED HEREON, THAT THIS PLAT: (A) IS THE RESULT OF A FIELD SURVEY AND IS AN ACCURATE, CURRENT AND COMPLETE REPRESENTATION OF THE LAND SURVEYED AND PLATTED HEREON; (B) WAS PREPARED IN CONFORMITY WITH, PURSUANT TO, AND IS IN COMPLIANCE WITH; (1) THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW; (2) OCGA §§ 15-6-67 - 69 AMENDED THROUGH THE DATE OF THIS CERTIFICATE; AND (3) ALL APPLICABLE LOCAL, COUNTY, AND MUNICIPAL ORDINANCES, STATUTES AND SPECIFICATIONS; (C) SHOWS THAT THE LAND IS TIED (IN COMPLIANCE WITH OCGA §§ 44-4-20 - 31 AS AMENDED THROUGH THE DATE OF THIS CERTIFICATE) TO THE GEORGIA COORDINATE SYSTEM OF 1985, WEST ZONE, AND SHOWS THE STATE PLANE COORDINATES OF AT LEAST TWO PERMANENT MONUMENTS ON THE SURVEY, EXPRESSED IN AMERICAN SURVEY FEET, AND ALSO SHOWS WHEN A NATIONAL GEODETIC SURVEY MONUMENT IS WITHIN 500 FEET OF ANY POINT ON THE PROPERTY MAPPED OR PLATTED, OR ANY POINT OF REFERENCE SHOWN THEREON; (D) SHOWS THAT ALL BEARINGS ARE REFERENCED TO GRID NORTH, GEORGIA COORDINATE SYSTEM OF 1985, WEST ZONE; (E) SHOWS THAT ALL CORNERS HAVE BEEN ESTABLISHED AND MARKED BY EITHER IRON PINS OR CONCRETE MONUMENTS WHICH HAVE BEEN FOUND, VERIFIED, LABELED AS TO TYPE AND LEFT IN PLACE; (F) LABELS HEREON A POINT OF BEGINNING WHICH IS LOCATED ON THE PERIMETER BOUNDARY; (G) SHOWS HEREON IN A "LEGEND" THE MEANINGS OF ALL ABBREVIATIONS AND SYMBOLS USED; (H) SHOWS HEREON THE NUMBER, DATE AND NATURE OF ALL REVISIONS OF THIS PLAT; (I) IS ELIGIBLE FOR RECORDING TO THE PLAT BOOK RECORDS IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF ANY COUNTY OR COUNTIES IN WHICH THE LAND TOTALLY OR PARTIALLY LIES, AND CLEARLY INDICATES ACRES, LAND LOTS, SECTIONS DISTRICT BY COUNTY(IES); AND (J) INCORPORATES EACH SPECIFICALLY REQUIRED ITEM INCLUDING ANY AS SET OUT IN THAT CERTAIN SERVICES AGREEMENT(S) REGARDING THIS PLAT BETWEEN THE UNDERSIGNED; AND (K) AN AREA MAP INDICATING THE LOCATION OF THE PROPERTY.

*Timothy J. Slaton*  
TIMOTHY J. SLATON, RLS # 2405



- REFERENCE MATERIAL:**
- DEED BOOK 25437, PAGE 268, FULTON COUNTY RECORDS.
  - DEED BOOK 25437, PAGE 274, FULTON COUNTY RECORDS.
  - DEED BOOK 39710, PAGE 625, FULTON COUNTY RECORDS.
  - DEED BOOK 39710, PAGE 628, FULTON COUNTY RECORDS.
  - DEED BOOK 40795, PAGE 543, FULTON COUNTY RECORDS.
  - PLAT ENTITLED "HUNTER STREET VIADUCT ATLANTA, GEORGIA, RIGHT OF WAY PLAN, PREPARED BY ROBERT AND COMPANY ASSOCIATES, DATED AUGUST 6, 1958.
  - GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PROPOSED MANGUM STREET, FULTON COUNTY, FEDERAL AID PROJECT M-9162(1), PHASE 1, DATED 3-29-1979, LAST REVISED 7-7-1982, SHEETS 1-3.
  - GEORGIA DEPARTMENT OF TRANSPORTATION MITCHELL STREET BRIDGE REPLACEMENT, PREPARED BY HEATH & LINEBACK ENGINEERS, LAST REVISED 12-15-2011, SHEET 13-01.

- NOTES:**
- BEARING BASIS OF THIS PLAT IS BASED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM, 1983. TIES WERE MADE TO POINTS FOUND IN THE FIELD, UTILIZING LEICA GPS 1200 SYSTEM AND LEICA SMARTNET NETWORK AND ADJUSTED, BASED ON CONVENTIONAL SURVEY METHODS. FIELD WORK WAS COMPLETED ON NOVEMBER 1, 2013.
  - FIELD EQUIPMENT USED FOR THE CONVENTIONAL SURVEY WAS A LEICA TS12.A 3 SECOND ROBOTIC, TOTAL STATION.
  - THE FIELD DATA FROM WHICH THIS PLAT OR MAP WAS ADJUSTED USING THE LEAST SQUARES METHOD AND WAS FOUND TO BE ACCURATE TO WITHIN 1 PART IN 25,000 PARTS OR BETTER AND AN ANGULAR ERROR OF 0.15 SECONDS PER ANGLE POINT; THIS PLAT OR MAP HAS ITSELF BEEN COMPUTED TO DETECT SCRIVENER ERRORS AND IT TOO WAS FOUND TO BE ACCURATE TO WITHIN 1 PART IN 25,000 PARTS OR BETTER.
  - ENCROACHMENTS ARE AS SHOWN ON THE PLAT.
  - UPON EXAMINATION OF FEMA FLOOD INSURANCE RATE MAPS OF FULTON COUNTY, GEORGIA, FIRM PANEL MAP #13121C0244F, DATED SEPTEMBER 18, 2013, IT HAS BEEN DETERMINED THE PLATTED PROPERTY, SHOWN HEREON, DOES NOT LIE IN A FLOOD HAZARD AREA.
  - ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
  - ALL BEARINGS SHOWN ARE COMPUTED FROM ANGLES TURNED AND THEIR BASIS IS AS DEFINED ON THE PLAT.

REVISION	DATE	CORRECTION TO LEGAL DESCRIPTION	PROJECT
1	12/27/2013		

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Atlanta, Georgia 30339  
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www.longeng.com

**LONG**  
ENGINEERING, INC.

RIGHT-OF-WAY ABANDONMENT PLAT  
OF  
MITCHELL STREET CONNECTOR  
PREPARED FOR STATE OF GEORGIA  
LL 84 - 14TH DIST - CITY OF ATLANTA - FULTON COUNTY - GEORGIA

DATE	12/27/2013
DESIGN QC	T.S.
CHECKED BY	J.J.
DRAWN BY	J.J.
SHEET	1 OF 1