

A RESOLUTION BY FINANCE/ EXECUTIVE COMMITTEE TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA’S INTEREST IN APPROXIMATELY 30.7 ACRES OF LAND ON CASCADE ROAD IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY TO ELIZABETH BAPTIST CHURCH PURSUANT TO ORDINANCE 14-O-1009; 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.

Workflow List:

John Lavelle	Completed	07/17/2014 9:05 AM
Richard Mendoza	Completed	07/18/2014 3:14 PM
Stefanie Grant	Completed	07/18/2014 3:28 PM
Jim Beard	Completed	07/18/2014 4:24 PM
Finance	Completed	07/18/2014 4:40 PM
Procurement	Skipped	07/18/2014 6:23 PM
Adam Smith	Skipped	07/21/2014 10:23 AM
Mayor's Office	Completed	07/21/2014 11:02 AM
Office of Research and Policy Analysis	Completed	07/23/2014 10:17 AM
Finance/Executive 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>	

A RESOLUTION BY FINANCE/ EXECUTIVE COMMITTEE TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA’S INTEREST IN APPROXIMATELY 30.7 ACRES OF LAND ON CASCADE ROAD IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY TO ELIZABETH BAPTIST CHURCH PURSUANT TO ORDINANCE 14-O-1009; 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 Cascade Road that is identified in the Fulton County tax records as tax parcel 14F-0027-LL-022-9 (“Property”); and

WHEREAS, based on a survey attached as Exhibit “A”, the Property totals approximately 30.7 acres; and

WHEREAS, the Property previously served as buffer property to the Cascade Road Landfill (the “Landfill”); and

WHEREAS, the City stopped accepting waste at the Landfill on September 1, 1997, and the Georgia Environmental Protection Division subsequently issued a closure certificate on January 24, 2001; and

WHEREAS, as a condition of any sale, 4.3 acres of land on eastern boundary of the Property shall remain an undisturbed buffer; and

WHEREAS, pursuant to Ordinance 14-O-1009, adopted by the Atlanta City Council on January 21, 2014 and approved by the Mayor by operation of law, 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 April 1, 2014, and ending May 22, 2014; 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 May 12, 2014 to be \$245,000; and

WHEREAS, the highest responsible bid (the “Highest Bid”) was submitted by Elizabeth Baptist Church (the “Church”), which offered \$350,000 to purchase the Property; and

WHEREAS, in conjunction with the submission of the Highest Bid, the Church submitted bid security (“Bid Security”) in the amount of \$35,000; 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, the balance due to complete a purchase for the Property would equal \$315,000 (the “Remaining Balance”); and

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

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Highest Bid amount of \$350,000 offered by the Church for the Property be accepted and the Property be sold to the Church pursuant to the Procurement and Real Estate Code.

BE IT FURTHER RESOLVED that the Bid Security amount of \$35,000 and the Remaining Balance amount of \$315,000 be deposited in Fund 1001 (General Fund), Department 000002 (Revenue Dept.), Account 3921002 (Proceed of Sale - Gain).

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 Church in return for compensation equal to the Highest Bid.

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 the Church.

**A RESOLUTION BY
FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA'S INTEREST IN APPROXIMATELY 30.7 ACRES OF LAND ON CASCADE ROAD IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY TO ELIZABETH BAPTIST CHURCH PURSUANT TO ORDINANCE 14-O-1009; 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.

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WHEREAS, the City stopped accepting waste at the Landfill on September 1, 1997, and the Georgia Environmental Protection Division subsequently issued a closure certificate on January 24, 2001; and

WHEREAS, as a condition of any sale, 4.3 acres of land on eastern boundary of the Property shall remain an undisturbed buffer; and

WHEREAS, pursuant to Ordinance 14-O-1009, adopted by the Atlanta City Council on January 21, 2014 and approved by the Mayor by operation of law, 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 April 1, 2014, and ending May 22, 2014; 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 May 12, 2014 to be \$245,000; and

WHEREAS, the highest responsible bid (the "Highest Bid") was submitted by Elizabeth Baptist Church (the "Church"), which offered \$350,000 to purchase the Property; and

WHEREAS, in conjunction with the submission of the Highest Bid, the Church submitted bid security (“Bid Security”) in the amount of \$35,000; 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, the balance due to complete a purchase for the Property would equal \$315,000 (the “Remaining Balance”); and

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

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Highest Bid amount of \$350,000 offered by the Church for the Property be accepted and the Property be sold to the Church pursuant to the Procurement and Real Estate Code.

BE IT FURTHER RESOLVED that the Bid Security amount of \$35,000 and the Remaining Balance amount of \$315,000 be deposited in Fund 1001 (General Fund), Department 000002 (Revenue Dept.), Account 3921002 (Proceed of Sale - Gain).

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 Church in return for compensation equal to the Highest Bid.

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 the Church.

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: Finance Executive

Caption: **A RESOLUTION TO AUTHORIZE THE AWARD OF THE BID FOR THE PURCHASE OF THE CITY OF ATLANTA'S INTEREST IN APPROXIMATELY 30.7 ACRES OF LAND ON CASCADE ROAD IN LAND LOT 27 OF DISTRICT 14F OF FULTON COUNTY TO ELIZABETH BAPTIST CHURCH PURSUANT TO ORDINANCE 14-O-1009; 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.**

Council Meeting Date: August 18, 2014

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 Resolution is to authorize the bid award and sale of the City's interest in approximately 30.7 acres of land on Cascade Road in Land Lot 27 or District 14F of Fulton County to Elizabeth Baptist Church (the "Church"), which was the highest responsible offeror in a duly advertised, sealed bid process.

2. Please provide background information regarding this legislation. Pursuant to Ordinance 14-O-1009 (attached), the City advertised for bids to acquire its ownership interest in approximately 30.7 acres located on Cascade Road that is identified in the Fulton County tax records as tax parcel 14F-0027-LL-022-9 (the "Property"). This property served as buffer land to the adjacent Cascade Road Landfill, which stopped accepting waste in 1997 and was issued a closure certificate by the Georgia Environmental Protection Division in 2001. The sale will include a stipulation that approximately 4.3 acres of land on the eastern boundary of the Property shall remain an undisturbed buffer.

The City had its interests appraised and, pursuant to Section 2-1572 of the Real Estate Code, provided the required public advertisement notice of the bid process and opening. At the bid opening on May 22, 2014, the City opened one (1) offer for purchase. The highest responsible offeror was the Church, which submitted a bid of \$350,000 to acquire the Property and bid security in the amount of \$35,000.

The Property was appraised by an independent, certified appraiser at a value of \$245,000. It is believed that the Church is attempting to acquire the Property in order to expand its parking. As the bid exceeds the appraised value, OEAM is recommending that, in accordance with Section 2-1572 of the Code, the City Council authorize the sale of the City's interest in the Property to the Church at an amount of \$350,000, as well as authorize the Mayor to execute a deed and any other required documents to effectuate the sale of the Property.

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: Fund 1001 (General Fund), Department 000002 (Revenue Dept.), Account 3921002 (Proceed of Sale - Gain).

5. Source of Funds: The total proceeds from sale of the Property from the Church would be \$350,000.

6. Fiscal Impact: The fiscal impact will be \$350,000 to the General Fund.

7. Method of Cost Recovery: N/A

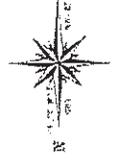
This Legislative Request Form Was Prepared By: Mark Haldane, Real Estate Asset Manager, 404-865-8586.

CASCADE ROAD LANDFILL
FULTON COUNTY, GEORGIA
1000 AFRANATY ROAD, SE, TOWER
CHRY HILLING - MULTIVERSITY AND JOHNSON, INC.
ATLANTA, GEORGIA 30328
1115 Morris Drive NE
Atlanta, GA 30328
404.525.9911
C.P.R.M.

BOUNDARY SURVEY FOR CLIENT

DATE: 11/15/11
BY: [Signature]
SCALE: AS SHOWN
PROJECT: CASCADE ROAD LANDFILL

BOUNDARY SURVEY FOR:
CASCADE ROAD LANDFILL
FULTON COUNTY, GA

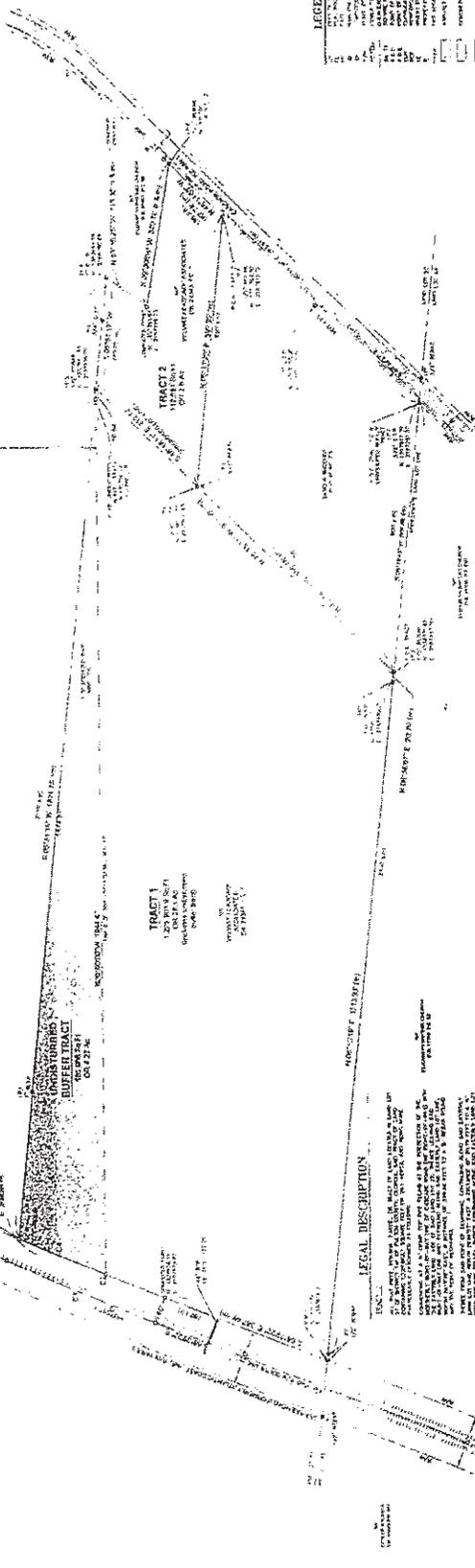


CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	ARC RADIUS	CHORD RADIUS
1+00.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+100.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+200.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+300.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+400.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+500.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+600.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+700.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+800.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00	100.00
1+900.00	S 89° 58' 00" W	100.00	100° 02' 00" E	100.00	100.00 </tr	



VICINITY MAP



LEGEND
1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL BEARINGS ARE TRUE BEARINGS.
3. ALL CURVES ARE CIRCULAR UNLESS OTHERWISE NOTED.
4. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.
5. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.
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7. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.
8. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.
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10. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON NAILS.

FLOOD NOTE

THIS SURVEY IS NOT A FLOOD HAZARD STUDY. THE CITY OF ATLANTA IS RESPONSIBLE FOR DETERMINING FLOOD HAZARD AREAS.

SURVEY REFERENCES

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL BEARINGS ARE TRUE BEARINGS.
3. ALL CURVES ARE CIRCULAR UNLESS OTHERWISE NOTED.

SURVEY NOTES

1. THIS SURVEY WAS CONDUCTED ON 11/15/11.
2. THE SURVEY WAS CONDUCTED BY [Signature].
3. THE SURVEY WAS CONDUCTED BY [Signature].
4. THE SURVEY WAS CONDUCTED BY [Signature].
5. THE SURVEY WAS CONDUCTED BY [Signature].
6. THE SURVEY WAS CONDUCTED BY [Signature].
7. THE SURVEY WAS CONDUCTED BY [Signature].
8. THE SURVEY WAS CONDUCTED BY [Signature].
9. THE SURVEY WAS CONDUCTED BY [Signature].
10. THE SURVEY WAS CONDUCTED BY [Signature].

LEGAL DESCRIPTION

TRACT 1
1.25 ACRES MORE OR LESS
BEING THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 33 N, RANGE 12 W, CO. 10 E, 11TH RANGE, FULTON COUNTY, GEORGIA.
TRACT 2
1.25 ACRES MORE OR LESS
BEING THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 33 N, RANGE 12 W, CO. 10 E, 11TH RANGE, FULTON COUNTY, GEORGIA.

EXHIBIT A

THIS SURVEY WAS CONDUCTED ON 11/15/11.
THE SURVEY WAS CONDUCTED BY [Signature].
THE SURVEY WAS CONDUCTED BY [Signature].

A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A FIRST AMENDMENT TO CONTRACT FC-6088 CITYWIDE HVAC SERVICES WITH ARS MECHANICAL, INC., ON BEHALF OF THE EXECUTIVE OFFICES-OFFICE OF ENTERPRISE ASSETS MANAGEMENT, FOR THE PURPOSE OF ADDING ADDITIONAL FUNDING IN AN ADDITIONAL AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00) ANNUALLY FOR THE DEPARTMENT OF PARKS AND RECREATION; WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM ADDITIONAL ACCOUNTS LISTED BELOW; AND FOR OTHER PURPOSES.

Workflow List:

Finance	Completed	07/18/2014 10:01 AM
Amy Phuong	Completed	07/18/2014 10:02 AM
Mariangela Corales	Completed	07/18/2014 2:22 PM
Procurement	Completed	07/18/2014 4:41 PM
Adam Smith	Completed	07/18/2014 4:45 PM
Mayor's Office	Completed	07/18/2014 4:47 PM
Office of Research and Policy Analysis	Completed	07/23/2014 10:15 AM
Finance/Executive 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>	

LEGISLATION HISTORY - BLUE BACK