

AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND MATT WESTMORELAND AUTHORIZING THE MAYOR OR HER DESIGNEE TO ABANDON A PORTION OF MARTIN STREET, S.E. BETWEEN MCDONOUGH BOULEVARD, S.E. AND JONESBORO ROAD, S.E. LYING AND BEING IN LAND LOT 56 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA; AUTHORIZING THE MAYOR OR HER DESIGNEE, TO EXECUTE A QUITCLAIM DEED(S) OF ALL OR ANY LESSER PORTION OF SUCH ABANDONMENTS TO THE ABUTTING OWNERS; AND FOR OTHER PURPOSES. ► (HELD 5/14/19 FOR A PUBLIC HEARING)

WHEREAS, the City of Atlanta (“City”) has received a formal request from 105 McDonough Blvd, LLC (“Applicant”) the owner of abutting property, to abandon a portion of Martin Street, S.E., between McDonough Boulevard, S.E. and Jonesboro Road, S.E. consisting of approximately _____ acres and more specifically described in the attached Exhibit “A”, 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 abandoned portion of Martin Street, S.E. 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; and

WHEREAS, the Department of Public Works has reviewed the request from the abutting property owner and has concluded that the abandonment of the portion of the right-of-way described herein will not have any adverse effect on traffic movement now and in the future.

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 remaining portions of abandon a portion of Martin Street, S.E., between McDonough Boulevard, S.E. and Jonesboro Road, S.E., being more specifically described in the attached Exhibit “A”, said property lying and being in Land Lot 56 of the 14th District of Fulton County, Georgia are 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 said property located on Blakely Drive (as hereinabove defined).

Section 3: That 105 McDonough Blvd, LLC., the abutting property owner, has agreed to pay the fair market value of the portion of street to be abandoned as determined by an appraisal for the said portion of Martin Street, S.E. described in the attached Exhibit “A”.

Section 4: 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 5: That the Chief Procurement Officer is hereby directed to prepare an appraisal to determine the fair market value of the right-of-way to be abandoned and 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 upon receipt of payment from the abutting property owner in the amount of the appraised fair market value of the property, or 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.

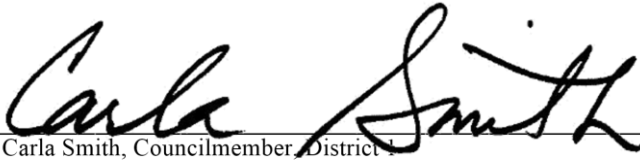
Section 7: That they Mayor, or his designee, be and is hereby authorized to execute a Quitclaim to convey any interest that the City may have in the above-referenced portion of Martin Street (herein described in Exhibit "A").

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 COUNCIL
ATLANTA, GEORGIA**

19-O-1246

SPONSOR SIGNATURES



Carla Smith, Councilmember, District 1

RESULT:	RETURNED AS HELD	Next: 5/28/2019 9:30 AM
05/28/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 6/3/2019 1:00 PM
06/03/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 6/11/2019 9:30 AM
06/11/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 6/17/2019 1:00 PM
06/17/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 6/25/2019 9:30 AM
06/25/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 7/1/2019 1:00 PM
07/01/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 7/9/2019 9:30 AM
07/09/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 8/5/2019 1:00 PM
08/05/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 8/13/2019 9:30 AM
08/13/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 8/19/2019 1:00 PM
08/19/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 8/27/2019 9:30 AM
08/27/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 9/3/2019 1:00 PM
09/03/19	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 9/10/2019 9:30 AM
09/10/19	City Utilities Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	Next: 9/16/2019 1:00 PM
RESULT:	RETURNED AS HELD	Next: 9/24/2019 9:30 AM

AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND MATT WESTMORELAND AUTHORIZING THE MAYOR OR HER DESIGNEE TO ABANDON A PORTION OF MARTIN STREET, S.E. BETWEEN MCDONOUGH BOULEVARD, S.E. AND JONESBORO ROAD, S.E. LYING AND BEING IN LAND LOT 56 OF THE 14th DISTRICT OF FULTON COUNTY, GEORGIA; AUTHORIZING THE MAYOR OR HER DESIGNEE, TO EXECUTE A QUITCLAIM DEED(S) OF ALL OR ANY LESSER PORTION OF SUCH ABANDONMENTS TO THE ABUTTING OWNERS; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 19-O-1246					
<input type="checkbox"/> ADOPTED					
<input type="checkbox"/> ADVERSED					
<input type="checkbox"/> FAVORABLE					
<input type="checkbox"/> ACCEPTED AND FILED					
<input type="checkbox"/> FIRST READING					
<input type="checkbox"/> SECOND READING					
<input type="checkbox"/> THIRD READING					
<input type="checkbox"/> FOURTH READING					
<input type="checkbox"/> FIFTH READING					
<input type="checkbox"/> REFERRED TO COMMITTEE					
<input type="checkbox"/> HELD IN COMMITTEE					
<input type="checkbox"/> TABLED					
<input type="checkbox"/> DEFERRED					
<input type="checkbox"/> RECONSIDERED					
<input type="checkbox"/> FILED					
<input type="checkbox"/> ADOPTED AS AMENDED					
<input type="checkbox"/> AMENDED					
<input type="checkbox"/> ACCEPTED					
<input type="checkbox"/> SUBSTITUTED					
<input type="checkbox"/> AMENDED SUBSTITUTE					
<input type="checkbox"/> FILED BY COMMITTEE					
<input type="checkbox"/> REFERRED TO ZRB AND ZC					
<input type="checkbox"/> REFERRED WITHOUT OBJECTION					
<input type="checkbox"/> ADOPTED ON SUBSTITUTE					
<input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED					
<input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI					
<input type="checkbox"/> REFERRED TO SC					
<input type="checkbox"/> FILED WITHOUT OBJECTION					
<input type="checkbox"/> FAILED					
<input type="checkbox"/> FORWARDED TO FC/NQ					
<input type="checkbox"/> FAVORABLE ON SUBSTITUTE					
<input type="checkbox"/> FAVORABLE/SUB/AMENDED					
<input type="checkbox"/> FAVORABLE/SUB/AMND/COND					
		YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N IDE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JP MATZIGKEIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L BOONE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE M SHEPERD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/AMND/COND<input type="checkbox"/> FAVORABLE AS AMENDED<input checked="" type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE ON CONDITION<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> QUADRENNIALY TERMINATED<input type="checkbox"/> QUESTION CALLED<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED W/O OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION<input type="checkbox"/> HELD IN COW	
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	