

**AN ORDINANCE
BY COUNCILMEMBER**

John Holli
Westmoreland

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA (“CITY”) TO ACCEPT A PERPETUAL EASEMENT LOCATED BETWEEN FOR THE CORONET WAY EXTENSION TO CONNECT LA DAWN AVENUE TO MARIETTA BOULEVARD N.W. BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT “A”, LYING AND BEING IN LAND LOT OF THE XX DISTRICT OF FULTON COUNTY, GEORGIA IN LAND LOT XX OF THE XX DISTRICT OF FULTON COUNTY, GEORGIA, TAX PARCEL IDS 14—XXXX, FROM WESTSIDE ATLANTA LLC., (“PETITIONERS”); AUTHORIZING THE MAYOR, OR HER DESINGEE, TO EFFECTUATE THE EXCHANGE; TO EXECUTE ALL AGREEMENTS, DEEDS, DOCUMENTS AND INSTRUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) received a formal request from Westside Atlanta LLC., owners of the abutting property, (“Petitioners”) to abandon certain portions of public right-of-way located between La Dawn Avenue to Marietta Boulevard N.W., as approximately described and depicted on Exhibit “A” attached hereto and incorporated herein by this reference; and

WHEREAS, the Petitioners owns certain parcels of real property located in Land Lot XX of the XX District of Fulton County, Georgia, Tax Parcel ID 14-XXXX (“Petitioners’ Property”), as approximately described and depicted on Exhibit “B” attached hereto and incorporated herein by this reference; and

WHEREAS, O.C.G.A. § 36-37-6 authorizes the City to undertake the transactions described herein; and

WHEREAS, it may be necessary for the City to reserve easement and encroachment rights in and to portions of the City Property in order for the City to continue to access and maintain such public utilities and other public infrastructure as may presently be located on the City Property; and

WHEREAS, the appraised value of the Petitioners’ Property to be acquired by the City in the exchange is greater than the appraised value of the City Property.

THE CITY COUNCIL, OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: The City is authorized to convey the City Property as described and depicted on Exhibit “A” to the Petitioner’s in exchange for the Petitioners’ Properties as described and depicted on Exhibit “B”, so that the property acquired by the City is of equal or greater value than the City Property.

SECTION 2: The Chief Procurement Officer, or her designee, is authorized to obtain and pa

SECTION 3: The City Attorney is hereby authorized to execute settlement and real estate documents, other than the title conveyance document, necessary to effectuate the purpose of this ordinance and to resolve the lawsuit.

SECTION 4: Any ordinances and resolutions in conflict with this ordinance are hereby repealed to the extent of any conflict.

#16
18-O-

(Do Not Write Above This Line)

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION

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

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA ("CITY") TO ACCEPT A PERPETUAL EASEMENT LOCATED BETWEEN FOR THE CORONET WAY EXTENSION TO CONNECT LA DAWN AVENUE TO MARIETTA BOULEVARD N.W. BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT OF THE XX DISTRICT OF FULTON COUNTY, GEORGIA IN LAND LOT XX OF THE XX DISTRICT OF FULTON COUNTY, GEORGIA, TAX PARCEL IDS 14-XXXX, FROM WESTSIDE ATLANTA LLC., ("PETITIONERS"); AUTHORIZING THE MAYOR, OR HER DESINGEE, TO EFFECTUATE THE EXCHANGE; TO EXECUTE ALL AGREEMENTS, DEEDS, DOCUMENTS AND INSTRUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; AND FOR OTHER PURPOSES.



Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

CERTIFIED

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

Date Referred
Referred To:

5/21/2018
Fin./Exec.

Date Referred
Referred To:

Date Referred:

Referred To:

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

MAYOR'S ACTION