

**When recorded, return to:**

Nina Hickson, General Counsel  
 Atlanta BeltLine, Inc.  
 100 Peachtree St NW #2300  
 Atlanta, GA 30303

After recording return to:

Calloway Title & Escrow, LLC

**David W. Dudley** 2/3/29 00

4170 Ashford Dunwoody Rd. Ste. 525  
 Atlanta, Georgia 30319

Cross Reference to:

39115, 430; 45194, 351

45938, 100; 47320, 573

**TERMINATION OF RAILROAD EASEMENT**

**March**  
 1 This Termination of Railroad Easement (this "**Termination**") is made as of this **7<sup>th</sup>** day of ~~February~~, 2017, between Norfolk Southern Railway Company, a Virginia corporation, successor in interest to the Georgia Air Line Railway Company, the Atlanta and Richmond Air Line Railway Company, Richmond and Danville Railroad Company, The Atlanta and Charlotte Air Line Railway Company and Southern Railway Company ("**NSR**") and the Atlanta Development Authority, a public body corporate and politic of the State of Georgia and an instrumentality of the City of Atlanta ("**ADA**").

WHEREAS, ADA is the owner of certain parcels of land comprising the property described on **Exhibit A** hereto (the "**Corridor**"); and

WHEREAS, the Corridor is encumbered by an easement of right of way for all passenger and freight railroad purposes over, upon and across the Corridor in favor of NSR, as described in that certain Deed dated December 30, 2004, and recorded January 3, 2005, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, at Deed Book 39115, page 430; as amended by that certain Deed of Correction dated June 11, 2007, and recorded June 14, 2007, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, at Deed Book 45194, page 351 (the "**NSR Railroad Easement**");

WHEREAS, the NSR Railroad Easement is further described on Exhibit B to that certain Limited Warranty Deed dated October 31, 2007, and recorded November 6, 2007, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, at Deed Book 45938, page 100 and on Exhibit B to that certain Limited Warranty Deed dated October 31, 2008, and recorded October 31, 2008, in the Office of the Clerk of the Superior Court of Fulton County, Georgia, at Deed Book 47320, page 573; and

WHEREAS, NSR has obtained from the Surface Transportation Board authority to abandon any and all right and obligation pursuant to federal law to provide common carrier rail transportation in the Corridor as set forth in the Decision of the Surface Transportation Board in STB Docket No. 290 (Sub-No. 210X), *Norfolk Southern Railway Company – Abandonment Exemption – In Fulton County, GA* (Service Date June 9, 2009); and

WHEREAS, NSR has exercised its authority to abandon its rail common carrier rights in the Corridor and has consummated the abandonment effective as of October 22, 2010, pursuant to the Notice of Consummation of Abandonment NSR filed on that date in STB Docket No. 290 (Sub-No. 210X); and

WHEREAS, NSR has fully divested itself of all of its right, title and interest in the Corridor and any obligation pursuant to 49 U.S.C. § 10901 to provide common carrier freight transportation in the Corridor; and

WHEREAS, the City of Atlanta, acting by and through ADA and its subsidiary NE Corridor Partners, LLC, acquired the Corridor in furtherance of the BeltLine project, a proposed comprehensive economic development project that includes as one essential element the use of the Corridor for rail passenger transit operations, among other uses (the “**Project**”); and

WHEREAS, ADA, acting as the redevelopment agent for the BeltLine Tax Allocation District of the City of Atlanta, the primary funding source for the Project, has begun to develop a pedestrian/bicycle trail and fixed guideway transit uses in the Corridor for the use and benefit of the general public; and

WHEREAS, NSR now desires to terminate its easement of right of way for all passenger and freight railroad purposes over, upon and across the Corridor;

NOW, THEREFORE, for the reasons set forth above and in consideration of the mutual promises and good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, NSR and ADA hereby acknowledge, agree and declare as follows:

1. Termination of Railroad Easement. Effective as of the date hereof, the NSR Railroad Easement is hereby terminated in its entirety and shall have no further force and effect. Without limiting the foregoing, NSR by execution hereof quitclaims, remises and releases unto ADA any right, title or interest (including, without limitation, any easement rights) in, to, over, across, under, through, and upon any portion of the Corridor arising out of the NSR Railroad Easement.
2. Miscellaneous. This Termination shall be construed and enforced in accordance with the laws of the State of Georgia and shall be binding upon and inure to the benefit of ADA, its successors and assigns and all subsequent owners of all or any part of the Corridor formerly benefitted or encumbered by the NSR Railroad Easement.

*[Remainder of page left intentionally blank. Signatures appear on following pages.]*

IN WITNESS WHEREOF, Norfolk Southern Railway Company and The Atlanta Development Authority have executed this Termination under seal as of the day and year first written above.

NORFOLK SOUTHERN RAILWAY  
COMPANY

Signed, sealed and delivered in  
presence of:

By:

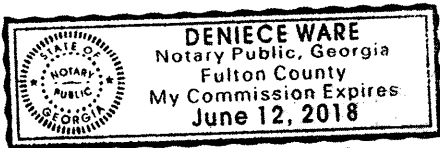
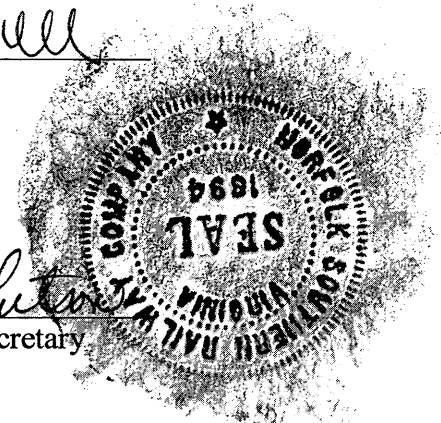
M. Chitwood  
Unofficial Witness

HM P. Gurnee  
Real Estate manager

[Signature]  
Notary Public

ATTEST:

Denise W. Gutter  
Assistant Corporate Secretary



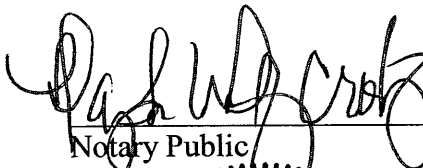
[Signatures continued on following page]

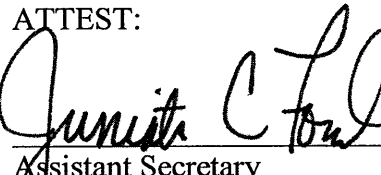
Signed, sealed and delivered in presence of:

THE ATLANTA DEVELOPMENT AUTHORITY  
A public body corporate and politic of the State of Georgia  
By:

  
Unofficial Witness

  
President and Chief Executive Officer 

  
Notary Public

ATTEST:  
  
Assistant Secretary

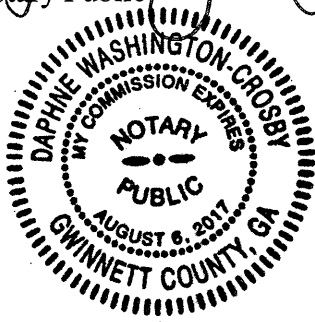
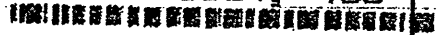


Exhibit A

Description of Corridor

STAMP  
ADDED  
TO CAPTURE  
IMAGE



**Parcel 2**  
**Norfolk Southern Railway Company to**  
**Ansley South Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 55 and 56 in the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5088+67.5, more or less, said point of beginning also being the centerline of Clear Creek and the point of terminus of Parcel 1;

Thence, along the said original centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 858.5 feet, more or less, to a point, said point being the common line between Land Lots 55 and 56 located at Railway Valuation Station 5097+26, more or less;

Thence, continuing along the said original centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline a distance of 420 feet, more or less, to the point of terminus, said point being the north line of Piedmont Avenue (Road) located at Railway Valuation Station 5101+46, more or less, and containing 5.21 acres, more or less, and being substantially as shown on Railway Valuation Map V-12a/2, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel being that portion of the property described in Deed Book S, page 381 in the Office of the Clerk of Superior Court of Fulton County lying south of the centerline of Clear Creek and that portion of the property described in a deed from J. J. Thrasher, et al. Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book \_\_\_\_, page \_\_\_\_ in said Clerk's Office which lies north of the north line of Piedmont Avenue (Road).

**Parcel 3**  
**Norfolk Southern Railway Company to**  
**Piedmont Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 54 and 55 in the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5101+46, said point being the north line of Piedmont Avenue (Road) and also being the point of terminus of Parcel 2;

Thence, along the said centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline for a distance of 709 feet, more or less, to a point, said point being the centerline of Clear Creek located at Railway Valuation Station 5108+55, more or less;

Thence, continuing along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 4,257 feet, more or less, to the point of terminus, said point being the west line of Monroe Drive located at Railway Valuation Station 5151+12, more or less, and containing 21.69 acres, more or less, and being substantially as shown on Railway Valuation Maps V-12a/2 and V-12a/3, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being the portion of that property described in a deed from J. J. Thrasher to Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book \_\_\_\_, page \_\_\_\_ in the Office of the Clerk of Superior Court of Fulton County which lies south of the north line of Piedmont Avenue (Road), all of that property described in Deed Book M, page 760 in said Clerk's Office and the portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies north of the north line of Monroe Drive.

Deed Book 39115 Pg 437  
[Barcode]

**Parcel 4**  
**Norfolk Southern Railway Company to**  
**Corridor Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 53 and 54 of the 17<sup>th</sup> District and Land Lot 17 of the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 3,164.9 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less;

Said parcel of land being a portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies southeast of the northwest line of Monroe Drive, all of that property described in Deed Book M, page 758, Deed Book I, page 176 and Deed Book M, page 757 in the Office of the Clerk of Superior Court of Fulton County

Also a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Roy Street and ending at the north line of Greenwood Avenue as shown as parcel 5 on Railway Valuation Map V-12a/3.

**LESS AND EXCEPT** the westerly 50 feet wide strip of land lying between the southerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-12a/3 and V-12a/4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.



Deed Book 39115 Pg 438  
[REDACTED]

**Parcel 5**  
**Norfolk Southern Railway Company to**  
**North Avenue Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 18 in the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1602.8 feet, more or less, to a point being at or near the north line of Ralph McGill Boulevard (Forrest Avenue) located at Railway Valuation Station 5210+45.7, more or less:

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map V-12a/4, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book S, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dorsey, Executor.

**Parcel 6**  
**Norfolk Southern Railway Company to**  
**Corridor Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline composed of land and right of way lying and being in Land Lots 18 and 19 of the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railroad Valuation Station 5221+16, more or less, said point being 1070.3 feet, more or less, south of the north line of Ralph McGill Boulevard (Forrest Avenue) as measured along said centerline and also being the point of terminus of Parcel 5;

Thence, along said centerline in a general southwesterly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline a for distance of 644 feet, more or less, to a point, said point being the common line between Land Lots 18 and 19 located at Railway Valuation Station 5227+60;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 806.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5235+66.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side of said centerline for a distance of 1,738.3 feet, more or less, to a point, said point being the north line of Irwin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet in width on each side said centerline for a distance of 840 feet, more or less, to the point of terminus of said strip of land, said point being 350 feet north of the north line of Edgewood Avenue located at Railroad Valuation Station 5261+45, more or less.

Said parcel of land being apportion of that property described in Deed Book N, page 383, Deed Book S, page 379, Deed Book N, page 380, Deed Book S, page 378, Deed Book 140, page 381, and a portion of that property described in Deed Book N, page 378 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled as parcel 5 on Railroad Valuation Map V-12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book S, Page 378, in said Clerk's Office.

Deed Book 39115 Pg 440

Also, that parcel of land labeled as parcel 10 on Railroad Valuation Map 12a/5 adjoining and lying on both sides of the above described strip of land and being a part of the property conveyed to the Atlanta and Richmond Air Line Railroad Company by deed dated July 6, 1870 and recorded in Deed Book S, Page 378, in said Clerk's Office.

Also, that parcel of land labeled as parcel 9 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land and being a part of the property conveyed to Southern Railway Company by deed dated May 22, 1899 and recorded in Deed Book 140, Page 381, in said Clerk's Office.

**LESS AND EXCEPT** the following parcels of land:

1. The parcel of land shown as parcel 6a on Railroad Valuation Map V-12a/4 and parcel 1a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company to Grinnell Corp. by deed dated February 18, 1949;
2. The parcel of land shown as parcel 10a on Railroad Valuation Map V-12a/5 and being conveyed by the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company to William Cromer by deed dated May 14, 1980;
3. The parcel of land shown as parcel 9a on Railroad Valuation Map V-12a/5 and being conveyed by Southern Railway Company to Montag Brothers by deed dated August 13, 1946;
4. The parcels of land shown as parcel 5a, parcel 5b and parcel 7a on Railroad Valuation Map V-12a/5 as condemned by the City of Atlanta, Georgia.
5. The parcel of land shown as parcel 5c on Railroad Valuation Map V-12a/5 and being conveyed by Norfolk Southern Railway Company to Berman Development, LLC by deed dated April 24, 1998.

Said parcel of property being substantially as shown on Railway Valuation Maps V-12a/3, V-12a/4 and V-12a/5 copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Deed Book 39115 Pg 441

**Parcel 7**  
**Norfolk Southern Railway Company to**  
**Corridor Edgewood, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 20 in the 14<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline, said point being at Railway Valuation Station 5261+45, and being 350 feet, more or less north of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 410 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5265+55, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet, more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 260 feet, more or less, to the point of terminus, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being substantially as shown on Railway Valuation Map V-12a/5, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

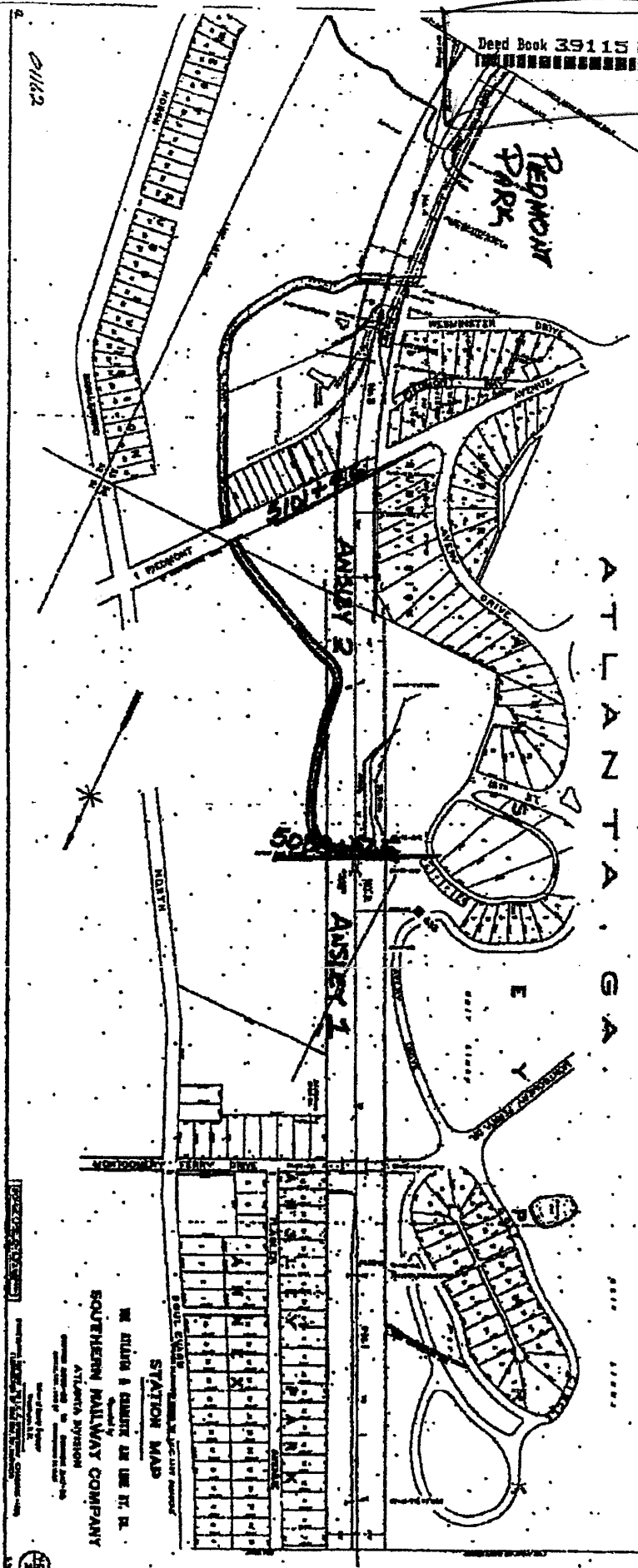
Said parcel of land being a portion of that property described in Deed Book M, page 756, Deed Book N, page 141, Deed Book N, page 381 and Deed Book N page 138 and all of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 593 in said Clerk's Office.

**Less and except the following parcel of land:**

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 23a on said Railway Valuation Map V-12a/5.

Deed Book 39115 Pg. 447



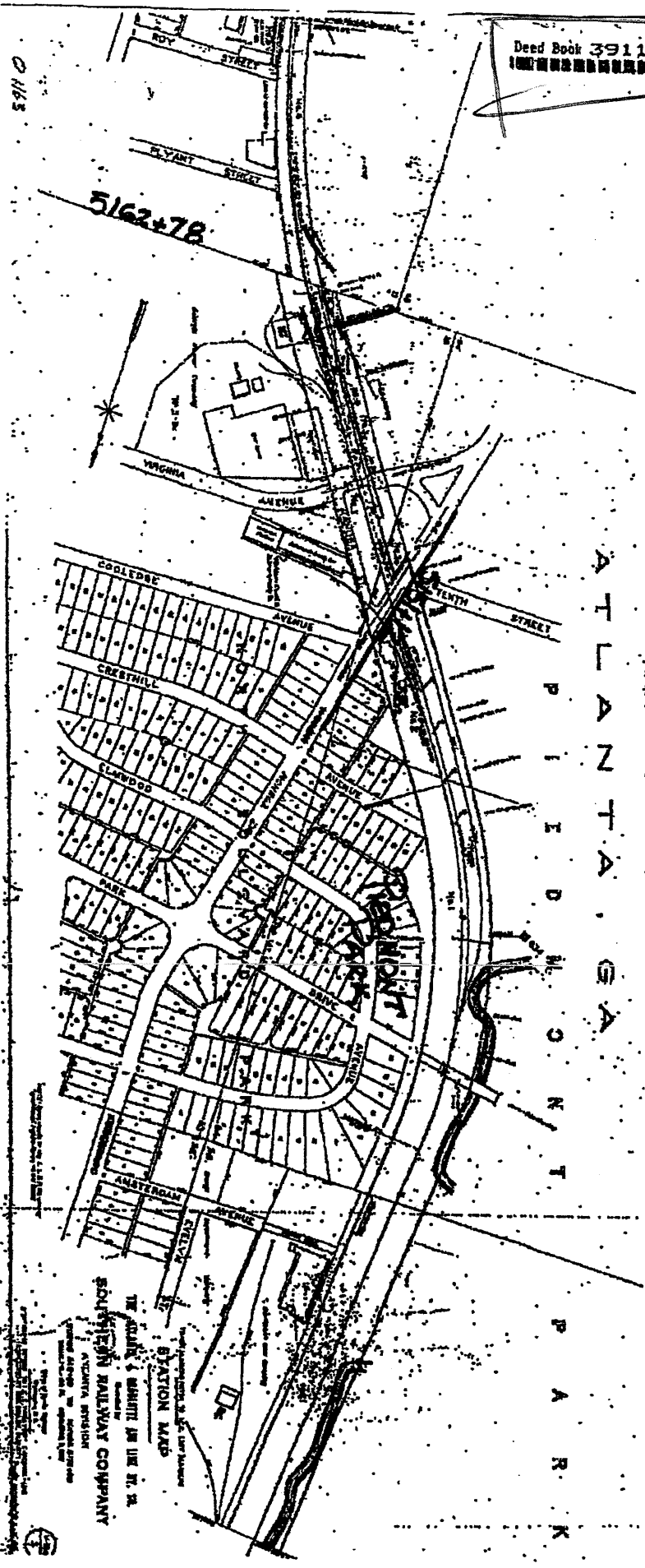
ATLANTA, GA. FULTON COUNTY, GA.

STATION MAP  
 IN ATLANTA & COUNTY OF DEKALB, GA.  
 SOUTHERN RAILWAY COMPANY  
 ATLANTA DIVISION

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 Atlanta, Georgia

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Deed Book 39115 Pg 448



ATLANTA, GA.

FULTON COUNTY, GA.

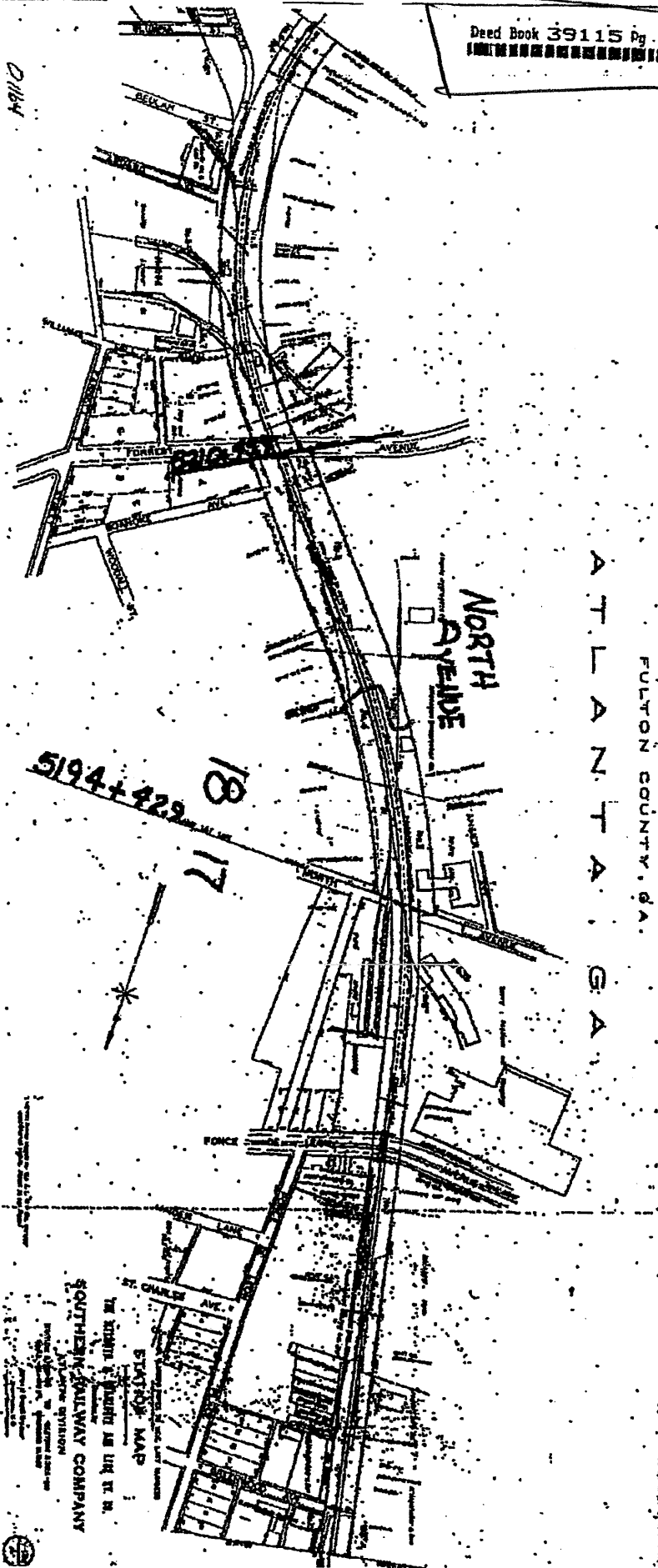
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P A R K

THE ATLANTA & SOUTH SEABOARD RAILWAY COMPANY  
 ATLANTA STATION  
 ATLANTA, GA.

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Deed Book 39115 Pg. 449



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5194+429 18

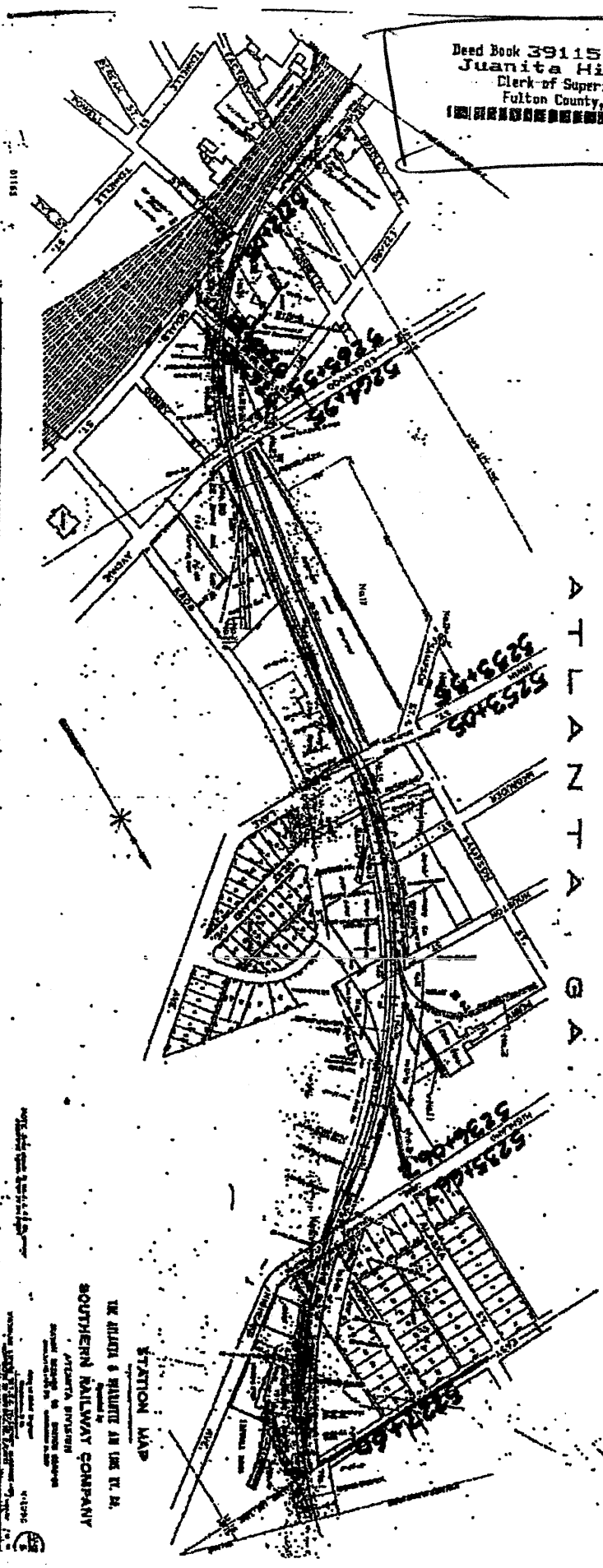
ATLANTA, GA.  
FULTON COUNTY, GA.

STATION MAP  
 THE SOUTHERN RAILWAY COMPANY  
 SOUTHERN RAILWAY COMPANY  
 SOUTHERN RAILWAY SYSTEM  
 SOUTHERN RAILWAY SYSTEM



Deed Book 39115 Pg 450  
Juanita Hicks  
Clerk of Superior Court  
Fulton County, Georgia

Deed Book 57260 Pg 279  
Cathelene Robinson  
Clerk of Superior Court  
Fulton County, Georgia



5110

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Atlanta, Georgia

STATION MAP  
FOR THE  
SOUTHERN RAILWAY COMPANY  
ATLANTA, GEORGIA

1910