

Deed Book 57260 Pg 294
Filed and Recorded Mar-08-2017 02:13pm
2017-0048308
Real Estate Transfer Tax \$0.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

After recording return to:
R. Robinson Plowden
Eversheds Sutherland
999 Peachtree Street NE
Suite 2300
Atlanta, Georgia 30309

STATE OF GEORGIA

COUNTY OF FULTON

After recording return to:
Calloway Title & Escrow, LLC
David W. Dudley 2-32900
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, Georgia 30319

QUITCLAIM DEED

THIS INDENTURE, made the 7th day of March, 2017 between **THE CITY OF ATLANTA**, a municipal corporation of the State of Georgia (hereinafter referred to as "Grantor"), and **ARAMARK UNIFORM & CAREER APPAREL, LLC**, a Delaware limited liability company (hereinafter referred to as "Grantee"), (the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN AND NO/100ths DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quitclaim to Grantee, all the right, title, interest, claim or demand which the Grantor has or may have had in and to:

All and singular that certain tract or parcel of land lying and being in Land Lot 20, 14th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a ½" rebar found at the intersection of the northerly Right of Way of DeKalb Avenue (Variable R/W) and the easterly Right of Way of Gunby Street (30' R/W); thence running along said Right of Way of DeKalb Avenue South 75° 40' 25" West a distance of 15.97 feet to the centerline of Gunby Street; thence along said centerline North 11° 23' 52" West a distance of 208.74 feet to a point; thence North 78° 10' 30" East a distance of 15.39 feet to an iron pin set on the easterly Right of Way of Gunby Street; thence along said easterly Right of Way South 11° 33' 11" East a distance of 208.03 feet to the TRUE POINT OF BEGINNING.

Said tract contains 0.075 Acres (3,265 Square Feet).

TO HAVE AND TO HOLD the said described premises unto the Grantee, so that neither the said Grantor, nor any person or persons claiming under Grantor shall at any time have, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances, or any rights thereof.

Grantor reserves for the benefit of Grantor and its successors and assigns a perpetual, non-exclusive easement over, across, under, and through the Property, said easement being more particularly described and depicted in that certain easement plat or map attached and incorporated herein as **Exhibit "A"** ("**Easement Area**"), said easement being for the purpose of operating, maintaining, repairing, replacing, expanding, installing, inspecting, and constructing, and the use and enjoyment of certain underground and/or above ground water lines and related facilities, storm water sewer lines and related facilities and/or sanitary sewer lines and related facilities (collectively, the "**Installations**") to channel, treat, distribute, transport or dispose water, stormwater, sewage, reuse water or such other liquid Grantor may find necessary, together with the right to perform such excavation, grading earth disturbance and other activities incidental thereto and other all rights, benefits, privileges title, easements and interests of Grantor in and to the Installations and necessary for the full enjoyment and use of the Easement Area, and together with all necessary rights of ingress and egress over and across the Property for the purpose of effecting the rights, benefits, privileges and easements set forth herein.

This deed is given pursuant to Ordinance 16-O-1532 adopted by the Atlanta City Council on November 21, 2016.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed the day and date above written.

Signed, sealed and delivered
In the presence of:

Eric Hobbin
Witness

Becky B. [Signature]
Notary Public
My Commission Expires
(NOTARY SEAL)
HAMILTON COUNTY, GEORGIA
PUBLIC
FEBRUARY 09, 2021

Approved as to Form:

By: WA Breen

GRANTOR:

CITY OF ATLANTA,
A municipal corporation of the
Georgia

By: [Signature]
Kashim Reed
Mayor



Attest:

By: Rhonda Dauphin Johnson
[SEAL]

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

EXHIBIT "A-1"**SANITARY SEWER EASEMENT**

All that tract or parcel of land lying and being in land lot 20 of the 14th district of Fulton County, City of Atlanta, Georgia, and being more particularly described as follows:

Commencing at a ½" re-bar found where the northwesterly variable right of way of DeKalb Avenue intersects the easterly 30 foot right of way of Gunby Street. Said re-bar having Georgia West Zone NAD 83 State Plane coordinates N: 1365355.195 E: 2236305.337.

Thence along the northwesterly variable right of way of DeKalb Avenue S 75°40'25" W a distance of 6.18 feet to a point. Said point being the POINT OF BEGINNING.

Thence continuing along the northwesterly variable right of way of DeKalb Avenue S 75°40'25" W a distance of 9.79 feet to a point.

Said point being located on the line between tract 1 and tract 2 as shown on that survey entitled "R/W Abandonment Exhibit for North American Properties Atlanta – LTD" prepared by Technical Survey Services, and dated Feb. 3, 2017.

Thence along said line between tract 1 and tract 2, N 11°23'52" W a distance of 208.73 feet to a point.

Thence leaving said line between tract 1 and tract 2 of said survey, N 78°10'30" a distance of 4.43 feet to a point.

Thence S 13°55'03" E a distance of 120.61 feet to a point.

Thence S 11°25'58" E a distance of 87.76 feet to a point. Said point being the POINT OF BEGINNING.

Said easement contains 1,701.957 square feet / 0.039 acre.

Said easement being more particularly shown on the plat entitled "Sanitary Sewer Easement, Tracts 1 and 2, Gunby Street Right of Way Abandonment" prepared by the City of Atlanta, Dept of Watershed Management, Office of Engineering Services, dated February 24, 2017, and being shown in detail on pages 1 and 3 of said plat.

EXHIBIT "A-2"**WATER MAIN EASEMENT**

Commencing at a scribed cross found in the sidewalk where the northwesterly variable right of way of DeKalb Avenue intersects the westerly 30 foot right of way of Gunby Street. Said scribed cross found having Georgia West Zone NAD 83 State Plane Coordinates N: 1365347.290 E: 2236274.388 .

Thence along the northwesterly variable right of way of DeKalb Avenue N 75°42'35" E a distance of 5.75 feet to a point.

Thence continuing along the northwesterly variable right of way of DeKalb Avenue N 75°38'52" E a distance of 10.01 feet to a point. Said point being located on the line between tract 1 and tract 2 as shown on that survey entitled "R/W Abandonment Exhibit for North American Properties Atlanta – LTD" prepared by Technical Survey Services, and dated Feb. 3, 2017. Said point being the POINT OF BEGINNING.

Thence leaving the northwesterly variable right of way of DeKalb Avenue and along the common line of tracts 1 and 2 of aforesaid plat, N 11°23'52" W a distance of 208.73 feet to a point.

Thence leaving the common line of tracts 1 and 2 of aforesaid plat, N 78°10'30" E a distance of 3.11 feet to a point.

Thence S 11°03'17" E a distance of 4.61 feet to a point.
 Thence S 14°39'43" E a distance of 36.78 feet to a point.
 Thence S 12°13'10" E a distance of 37.15 feet to a point.
 Thence S 11°35'22" E a distance of 80.11 feet to a point.
 Thence S 11°12'27" E a distance of 24.22 feet to a point.
 Thence S 16°15'55" E a distance of 13.35 feet to a point.
 Thence S 27°30'14" E a distance of 12.59 feet to a point. Said point being located on the northwesterly variable right of way of DeKalb Avenue.

Thence along the northwesterly variable right of way of DeKalb Avenue S 75°40'25" W a distance of 10.53 feet to point, and the POINT OF BEGINNING.

Said easement contains 1174.70 square feet / 0.027 acre.

Said easement being more particularly shown on the plat entitled "Water Main Easement, Tracts 1 and 2, Gunby Street Right of Way Abandonment" prepared by the City of Atlanta, Dept. of Watershed Management, Office of Engineering Services, dated February 24, 2017, and being shown in detail on pages 2 and 3 of said plat.

EXHIBIT "A-3"
SANITARY SEWER AND WATER MAIN EASEMENT PLAT
[Attached]

RESERVED FOR THE CLERK OF COURT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN OPEN FEET AND AN ANGULAR ERROR OF N/A SECONDS PER ANGLE POINT AND WAS NOT ADJUSTED. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 654,226 FEET. TOTAL STATION WAS USED FOR RADIAL LOCATION FROM GPS CONTROL.

FIELD EQUIPMENT:
 TOPCON ES 102 TOTAL STATION.
 CHAMPION TKO GPS RECEIVER ON THE eGPS REALTIME NETWORK.
 TDS RANGER DATA COLLECTION

CHAMPION GPS RECEIVER ON THE eGPS REALTIME NETWORK WAS UTILIZED TO ESTABLISH SURVEY CONTROL AND LOCATION FOR THIS PROJECT. THE RELATIVE POSITIONAL ACCURACY OF THE GPS DATA DOES NOT EXCEED 0.05' AT THE 95% CONFIDENCE LEVEL. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

FIELD WORK PERFORMED ON:
 09/14/2016

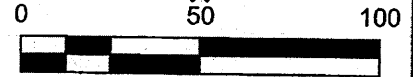
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

M R GEIGER GA REG. LS # 3342

LINE BETWEEN TRACTS 1 & 2 AS SHOWN ON R/W ABANDONMENT EXHIBIT BY TECHNICAL SURVEY SERVICES INC. DATED 2/3/2017

N/F ARAMARK UNIFORM AND CAREER APPAREL DB 49512 PAGE 498

GUNBY STREET 30' R/W TO BE ABANDONED



THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS WHICH CREATED THE PARCELS ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

M R GEIGER GA REG. LS # 3342

N/F ATLANTA BELTLINE INC DB 55501 PAGE 508

PROPOSED 20' SEWER EASEMENT

P.O.B. SEWER ESMT TRACT 2

P.O.C. FOR SEWER ESMTS. 1/2" RE-BAR FOUND

GA STATE PLANE COORDINATE WEST ZONE NAD 83
 N: 1365355.195
 E: 2236305.337

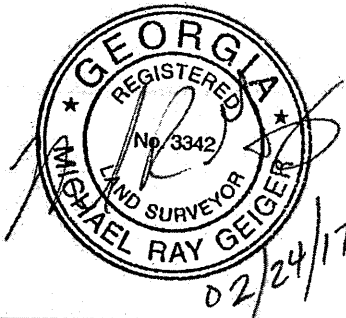
SCRIBED CROSS IN WALK @ CORNER

P.O.B. SEWER ESMT TRACT 1

DEKALB AVENUE

VARIABLE R/W

SEE PAGE 3 FOR CALL CHARTS, REFERENCES, LEGEND, AND NOTES.



SURVEYOR OF RECORD:
 MICHAEL R GEIGER GA RLS #3342
 72 MARIETTA ST 5th FLOOR
 ATLANTA, GA 30303
 404-546-3248

SANITARY SEWER ESMT. TRACT 1 2464.765 SQ. FT. / 0.057 AC CLOSURE: 1" IN 44,363.00'	SANITARY SEWER ESMT. TRACT 2 1701.957 SQ. FT. / 0.039 AC CLOSURE: 1" IN 10,783.25'
--	--

CITY OF ATLANTA
 DEPARTMENT OF WATERSHED MANAGEMENT
 OFFICE OF ENGINEERING SERVICES

SANITARY SEWER EASEMENT
 TRACTS 1 AND 2
 GUNBY STREET RIGHT OF WAY ABANDONMENT

SURVEYOR M GEIGER	FIELD BOOK 2-2013	L.L. DIST. 20 14th	COUNTY FULTON	CITY ATLANTA	SHEET 1 OF 3	SCALE 1"=50'	DATE 02/24/17
DRAWN BY MRG	DESIGNED BY	CHECKED BY DIA	APPROVED BY MRG	PROJECT NO. GUNBY STREET ABANDONMENT.dwg			

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN OPEN FEET AND AN ANGULAR ERROR OF N/A SECONDS PER ANGLE POINT AND WAS NOT ADJUSTED. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 654,226 FEET. TOTAL STATION WAS USED FOR RADIAL LOCATION FROM GPS CONTROL.

FIELD EQUIPMENT:
 TOPCON ES 102 TOTAL STATION.
 CHAMPION TKO GPS RECEIVER ON THE eGPS REALTIME NETWORK.
 TDS RANGER DATA COLLECTION

CHAMPION GPS RECEIVER ON THE eGPS REALTIME NETWORK WAS UTILIZED TO ESTABLISH SURVEY CONTROL AND LOCATION FOR THIS PROJECT. THE RELATIVE POSITIONAL ACCURACY OF THE GPS DATA DOES NOT EXCEED 0.05' AT THE 95% CONFIDENCE LEVEL. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

RESERVED FOR THE CLERK OF COURT

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 47-6-67

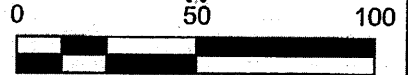
M R GEIGER GA REG. LS # 3342

LINE BETWEEN TRACTS 1 & 2 AS SHOWN ON R/W ABANDONMENT EXHIBIT BY TECHNICAL SURVEY SERVICES INC. DATED 2/3/2017

FIELD WORK PERFORMED ON: 09/14/2016

N/F ARAMARK UNIFORM AND CAREER APPAREL DB 49512 PAGE 498

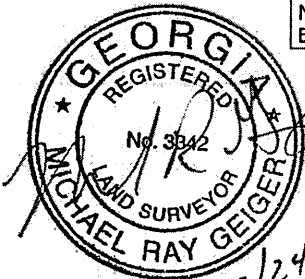
GUNBY STREET 30' R/W TO BE ABANDONED



THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS WHICH CREATED THE PARCELS ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

M R GEIGER GA REG. LS # 3342

GA STATE PLANE COORDINATE WEST ZONE NAD83
 N: 1365347.290
 E: 2236274.388



N/F ATLANTA BELTLINE INC. DB 55501 PAGE 508

PROPOSED 20' WATER LINE EASEMENT

P.O.C. FOR WATER ESMTS.

SCRIBED CROSS IN WALK @ CORNER

P.O.B. WATER ESMT TRACT 1

P.O.B. WATER ESMT TRACT 2

1/2" RE-BAR FOUND

VARIABLE R/W

SEE PAGE 3 FOR CALL CHARTS, REFERENCES, LEGEND, AND NOTES.

SURVEYOR OF RECORD:
 MICHAEL R GEIGER GA RLS #3342
 72 MARIETTA ST 5th FLOOR
 ATLANTA, GA 30303
 404-546-3248

WATER EASEMENT TRACT 1
 2984.280 SQ.FT. / 0.091 AC.
 CLOSURE: 1' IN 147,910'

WATER EASEMENT TRACT 2
 1174.70 SQ.FT. / 0.027 AC.
 CLOSURE: 1' IN 33,168.92'

CITY OF ATLANTA
 DEPARTMENT OF WATERSHED MANAGEMENT
 OFFICE OF ENGINEERING SERVICES

WATER MAIN EASEMENT
 TRACTS 1 AND 2
 GUNBY STREET RIGHT OF WAY ABANDONMENT

SURVEYOR M GEIGER	FIELD BOOK 2-2013	L.L. DIST. 20 14th	COUNTY FULTON	CITY ATLANTA	SHEET 2 OF 3	SCALE 1"=50'	DATE 02/24/17
DRAWN BY MRG	DESIGNED BY	CHECKED BY <i>MRG</i>	APPROVED BY <i>MRG</i>	PROJECT NO. GUNBY STREET ABANDONMENT.dwg			

RESERVED FOR THE CLERK OF COURT

REFERENCES:

- 1) RW ABANDONMENT EXHIBIT FOR NORTH AMERICAN PROPERTIES ATLANTA - LTD PREPARED BY TECHNICAL SURVEY SERVICES AND DATED FEBRUARY 3,2017.
- 2) DEED BOOK 55501 PAGE 508 FULTON COUNTY, GEORGIA RECORDS.
- 3) DEED BOOK 49512 PAGE 498 FULTON COUNTY, GEORGIA RECORDS.

UTILITY NOTE:

UTILITIES SHOWN ON THIS DRAWING ARE BASED ON THE BEST EVIDENCE AVAILABLE IN THE FIELD AS WELL AS CITY OF ATLANTA RECORDS. OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS DRAWING.

SURVEYOR OF RECORD:
 MICHAEL R GEIGER GA RLS #3342
 72 MARIETTA ST 5th FLOOR
 ATLANTA, GA 30303
 404-546-3248

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

FIELD WORK PERFORMED ON:
 09/14/2016

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTIES AND/OR ENTITIES NAMED IN THE TITLE BLOCK HEREON, AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.

M R Geiger
 M R GEIGER GA REG. LS # 3342

THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS WHICH CREATED THE PARCELS ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.

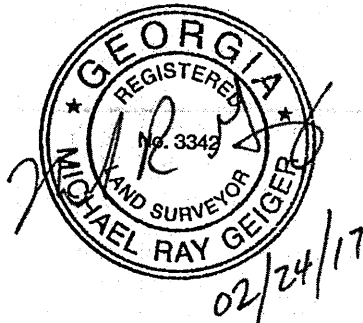
M R Geiger
 M R GEIGER GA REG. LS # 3342

LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- N/F NOW OR FORMERLY
- R/W RIGHT-OF-WAY
- P.B. PLAT BOOK
- D.B. DEED BOOK
- BC BACK OF CURB
- RBS REBAR SET
- RBF REBAR FOUND
- OTF OPEN-TOP PIPE FOUND
- MAG MAG NAIL (PK NAIL)
- PP POWER POLE
- POC POINT OF COMMENCEMENT
- SSMH SANITARY SEWER MANHOLE
- SDMH STORM DRAIN MANHOLE
- ESMT EASEMENT
- PROP. PROPOSED
- CB CATCH BASIN
- DI DROP INLET
- OHP OVERHEAD POWER LINE
- FKA FORMERLY KNOWN AS
- CMP CORRUGATED METAL PIPE
- WM WATER METER
- WV WATER VALVE
- FH FIRE HYDRANT
- CLF CHAIN LINK FENCE
- O- FENCE

LINE CHART

LINE	BEARING	DISTANCE
L1	S 75°40'25" W	6.18'
L2	S 75°40'25" W	9.79'
L3	N 11°23'52" W	208.73'
L4	N 78°10'30" E	4.43'
L5	S 13°55'03" E	120.61'
L6	S 11°25'58" E	87.76'
L7	S 75°38'52" W	10.24'
L8	N 11°25'58" W	88.35'
L9	N 13°55'03" W	116.67'
L10	N 11°14'37" W	4.24'
L11	N 78°10'30" E	15.39'
L12	S 75°38'52" W	10.01'
L13	N 27°30'14" W	9.88'
L14	N 16°15'55" W	16.20'
L15	N 11°12'27" W	25.04'
L16	N 11°35'22" W	79.94'
L17	N 12°13'10" W	36.61'
L18	N 14°39'43" W	11.54'
L19	N 11°14'37" W	30.39'
L20	N 78°10'30" E	15.39'
L21	S 11°23'52" E	208.73'
L22	N 78°10'30" E	3.11'
L23	S 11°03'17" E	4.61'
L24	N 14°39'43" E	36.78'
L25	S 12°13'10" E	37.15'
L26	S 11°35'22" E	80.11'
L27	S 11°12'27" E	24.22'
L28	S 16°15'55" E	13.35'
L29	S 27°30'14" E	12.59'
L30	S 75°40'25" W	10.53'
L31	N 75°42'35" E	5.75'



**CITY OF ATLANTA
 DEPARTMENT OF WATERSHED MANAGEMENT
 OFFICE OF ENGINEERING SERVICES**

**SANITARY SEWER AND WATER MAIN EASEMENT
 TRACTS 1 AND 2
 GUNBY STREET RIGHT OF WAY ABANDONMENT**

SURVEYOR M GEIGER	FIELD BOOK 2-2013	L.L. DIST. 20 14th	COUNTY FULTON	CITY ATLANTA	SHEET 3 OF 3	SCALE NONE	DATE 02/24/17
DRAWN BY MRG	DESIGNED BY	CHECKED BY <i>JVP</i>	APPROVED BY <i>MRG</i>	PROJECT NO. GUNBY STREET ABANDONMENT.dwg			

10590

160 1532

(Do Not Write Above This Line)

AN ORDINANCE
 BY COUNCILMEMBER KWANZA HALL
 TO ABANDON A PORTION OF THE
 RIGHT-OF-WAY OF GUNBY STREET,
 SAID PORTION BEING
 APPROXIMATELY 5,271 SQ. FT.
 LOCATED IN LAND LOT 20, 14th
 DISTRICT, FULTON COUNTY,
 GEORGIA, AND TO AUTHORIZE
 DEDICATION TO THE CITY OF
 ATLANTA OF CERTAIN TO-BE-
 CONSTRUCTED BELTLINE TRAIL AND
 RIGHT-OF-WAY, SAID NEW RIGHT-OF-
 WAY BEING APPROXIMATELY 9,274 SQ.
 FT. IN LAND LOT 20, 14th DISTRICT,
 FULTON COUNTY, GEORGIA; AND FOR
 OTHER PURPOSES. *substitute*

CONSENT REFER
 REGULAR REPORT REFER NOV 2 1 2016
 ADVERTISE & REFER
 1ST ADOPT 2ND READ & REFER **COUNCIL**
 PERSONAL PAPER REFER

Date Referred 9-19-2016
 Referred To: City Utilities
 Date Referred
 Referred To:
 Date Referred:
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____
 Committee _____
 City Utilities
 Date 9/27/16
 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 _____

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

FINAL COUNCIL ACTION
 2nd Reading
 1st & 2nd Reading
 3rd Reading
 Consent V Vote
 RC Vote

CERTIFIED

NOV 21 2016

CERTIFIED
 NOV 21 2016
Randolph Johnson

MAYOR'S ACTION

APPROVED

NOV 30 2016

WITHOUT SIGNATURE
 BY OPERATION OF LAW

OMC Staff Confirmed Substitute in ELMS

**AN ORDINANCE
BY COUNCILMEMBERS KWANZA HALL AND CARLA SMITH
AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

AN ORDINANCE TO ABANDON A PORTION OF THE RIGHT-OF-WAY OF GUNBY STREET, SAID PORTION BEING APPROXIMATELY 6,272 SQ. FT. LOCATED IN LAND LOT 20, 14th DISTRICT, FULTON COUNTY, GEORGIA, AND TO AUTHORIZE DEDICATION TO THE CITY OF ATLANTA OF CERTAIN TO-BE-CONSTRUCTED BELTLINE TRAIL AND RIGHT-OF-WAY, SAID NEW RIGHT-OF-WAY BEING APPROXIMATELY 30,200 SQ. FT. IN LAND LOT 20, 14th DISTRICT, FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, Gunby Street runs north from DeKalb Avenue for one block and terminates at the former Norfolk Southern rail corridor under the Edgewood Avenue bridge;

WHEREAS, the parcels on either side of Gunby Street, 670 DeKalb Avenue and 690 DeKalb Avenue, have been vacant for many years;

WHEREAS, as a result of the absence of development or economic activity on these parcels, Gunby Street has not been used for vehicular travel, has been gated, and has not been maintained by the City as an active public street;

WHEREAS, both parcels adjacent to Gunby Street as well as the soil under Gunby Street were contaminated as a result of prior business and industrial activity and have been designated as a Brownfield by the State of Georgia Environmental Protection Division;

WHEREAS, the Atlanta Development Authority d/b/a Invest Atlanta ("Invest Atlanta") has been designated as the City's Redevelopment Agent for implementation of the BeltLine Redevelopment Plan;

WHEREAS, Invest Atlanta holds title to the former Norfolk Southern rail corridor that runs west of 670 DeKalb Ave. and Gunby Street;

WHEREAS, Atlanta BeltLine, Inc. ("ABI") has extensively analyzed the Eastside BeltLine Corridor extension and has determined that at this stage of development of the Atlanta BeltLine, the alignment of the Eastside BeltLine Corridor south of the Edgewood Avenue bridge should be revised to run east of the former Norfolk Southern rail corridor;

WHEREAS, ABI purchased 670 DeKalb Avenue for this purpose;

WHEREAS, in 2014 the City constructed an accessible ramp on the northern portion of the Gunby Street right-of-way to allow pedestrians and cyclists to travel between Edgewood Avenue and the Eastside trail extension;

WHEREAS, once a concept for alignment of the trail and transit corridors was established, ABI issued a Request for Proposals for redevelopment of the portion of 670 DeKalb Avenue and

16-O-1532

former rail corridor not needed for the trail and transit corridor into a mixed use development consistent with the vision of the Subarea 5 BeltLine Master Plan;

WHEREAS, North American Properties partnered with Vantage Realty to submit the winning proposal;

WHEREAS, North American Properties and ABI are working together to complete the required environmental cleanup and develop 670 DeKalb Avenue and the former rail corridor together with 75 Airline Street and 690 DeKalb Avenue into a mixed use development that will activate and compliment the Eastside BeltLine Corridor extension;

WHEREAS, in order to design and construct the preferred corridor alignment and proposed development, ABI and North American Properties have requested that the City abandon the portion of Gunby Street not already obstructed by the ramp for incorporation into the Eastside BeltLine Corridor Extension;

WHEREAS, the portion of Gunby Street that ABI and North American Properties request be abandoned is approximately 6,272 sq. ft.;

WHEREAS, ABI and North American Properties propose to construct the new trail and mixed use development project and then convey to the City or Invest Atlanta as its Redevelopment Agent a new corridor alignment and right-of-way of approximately 30,200 sq. ft. as consideration for the requested abandonment;

WHEREAS, both abutting property owners, ABI and the owner of 690 DeKalb Avenue, have consented to this Request for Abandonment;

WHEREAS, the Request for Abandonment has been reviewed and approved by the Department of Public Works and the City Utilities Committee and is deemed to be in the best interest of the City to consummate;

WHEREAS, the City Council hereby determines that Gunby Street has ceased to be used by the public for vehicular transportation, that no substantial public purpose is served by retaining this portion of Gunby Street for public right-of-way for vehicular travel, and that the removal of this portion of Gunby Street from the municipal street system is otherwise in the best interest of the public; and

WHEREAS, because the area and value of the right-of-way to be conveyed exceeds the area and value of right-of-way to be abandoned, the City Council has determined it appropriate to waive the requirements for an appraisal and payment.

16-O-1532

NOW, THEREFORE, BEING IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1. The portion of the right-of-way of Gunby Street as depicted on the plat attached hereto as **Exhibit "A"**, said area being approximately 6,272 sq. ft. in area, located in Land Lot 20 of the 14th District of Fulton County, Georgia, is hereby declared no longer useful or necessary for the public's use and convenience and is hereby abandoned (hereinafter the "Abandonment Parcel").

SECTION 2. The City is authorized to convey by Quitclaim Deed to Atlanta Beltline, Inc. or its respective successors or designees, to the centerline of the Abandoned Parcel. The City is authorized to convey by Quitclaim Deed to the owner of the 690 DeKalb parcel, or its respective successors or designees, to the centerline of the Abandoned Parcel.

SECTION 3. The requirements of Code Section 138-9 and 2-1578 for appraisal and payment of fair market value are hereby waived. As a condition of this waiver, ABI or its designee or successor shall construct an extension of the Eastside BeltLine trail and shall convey future BeltLine Corridor right-of-way to the City or Invest Atlanta. Said right-of-way is depicted on **Exhibit "B"** attached hereto.

SECTION 4. The City hereby abandons the Abandonment Parcel with the reservation for existing public or private utility easements for the purpose of entering the property to operate, maintain, or replace utility facilities. These easements shall remain in effect until such time as said utilities may be abandoned, removed, or relocated, at which time said easement shall expire.

SECTION 5. Upon approval of this Ordinance, the City Attorney is hereby directed to prepare a Quitclaim Deed for execution by the Mayor, containing terms and conditions appropriate and/or legally required for this transaction, to be approved by the City Attorney as to form. The Quitclaim Deed will not become binding on the City and the City will not incur any liability thereunder until all documents related to the abandonment of said right-of-way have been attested to by the Municipal Clerk and delivered to ABI or its designee.

SECTION 6. Upon construction and completion of the trail, the City and/or its Redevelopment Agent, Invest Atlanta, are authorized to accept conveyance of right-of-way for public use as shown on Exhibit "B", said area being approximately 30,200 sq. ft. located in Land Lot 20, 14th District, Fulton County, Georgia.

SECTION 7. If the right-of-way conveyance described in Section 6. does not occur on or before December 31, 2021, ABI and North American Properties will pay to the City their respective shares of the appraised value of the Abandonment Parcel.

SECTION 8. All Code sections and ordinances and parts of Code sections and ordinances in conflict with the Ordinance are waived to the extent of the conflict.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

NOV 21, 2016
NOV 30, 2016

16-O-1532

EXHIBIT "A"

ABANDONMENT PARCEL

16-O-1532

EXHIBIT "A"

ABANDONMENT PARCEL

STAMP
ADDED
TO CAPTURE
IMAGE

16-O-1532

EXHIBIT "B"

DEDICATION PARCEL

**STAMP
ADDED
TO CAPTURE
IMAGE**

ATLANTA CITY COUNCIL
 NOVEMBER 21, 2016

MOTION : <u>Adopt</u>		except 16-R-4581		
LEGISLATIVE ID: <u>CONSENT SECTION I</u>				
	YEA	NAY	ABSTAIN	COMMENTS
Cesar C. Mitchell President of Council				
Michael Julian Bond Post 1 -at-Large				
Mary Norwood Post 2 -at-Large				
Andre Dickens Post 3 -at-Large				
Carla Smith Council District 1	AWAY			
Kwanza Hall Council District 2				
Ivory Lee Young, Jr. Council District 3				
Cleta Winslow Council District 4				
Natalyn Mosby Archibong Council District 5				
Alex Wan Council District 6 M				
Charles Howard Shook Council District 7				
Yolanda Adrean Council District 8				
Felicia A. Moore Council District 9				
C. T. Martin, Jr. Council District 10 S				
Keisha Lance Bottoms Council District 11				
Joyce Sheperd Council District 12				
TOTAL	13	0		

		11-21-16
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 16-O-1353	43. 16-R-4576	84. 16-R-4630
2. 16-O-1538	44. 16-R-4577	85. 16-R-4631
3. 16-O-1597	45. 16-R-4584	86. 16-R-4632
4. 16-O-1604	46. 16-R-4593	87. 16-R-4633
5. 16-O-1615	47. 16-R-4594	88. 16-R-4634
6. 16-O-1619	48. 16-R-4595	89. 16-R-4635
7. 16-O-1620	49. 16-R-4596	90. 16-R-4636
8. 16-O-1621	50. 16-R-4678	91. 16-R-4637
9. 16-O-1622	51. 16-R-4597	92. 16-R-4638
10. 16-O-1630	52. 16-R-4598	93. 16-R-4639
11. 16-O-1602	53. 16-R-4599	94. 16-R-4640
12. 16-O-1603	54. 16-R-4600	95. 16-R-4641
13. 16-O-1601	55. 16-R-4601	96. 16-R-4642
14. 16-O-1606	56. 16-R-4602	97. 16-R-4643
15. 16-O-1607	57. 16-R-4603	98. 16-R-4644
16. 16-O-1609	58. 16-R-4604	99. 16-R-4645
17. 16-O-1616	59. 16-R-4605	100. 16-R-4646
18. 16-O-1624	60. 16-R-4606	101. 16-R-4647
19. 16-O-1532	61. 16-R-4607	102. 16-R-4648
20. 16-O-1570	62. 16-R-4608	103. 16-R-4649
21. 16-O-1614	63. 16-R-4609	104. 16-R-4650
22. 16-O-1626	64. 16-R-4610	105. 16-R-4651
23. 16-R-4585	65. 16-R-4611	106. 16-R-4652
24. 16-R-4679	66. 16-R-4612	107. 16-R-4653
25. 16-R-4667	67. 16-R-4613	108. 16-R-4654
26. 16-R-4668	68. 16-R-4614	109. 16-R-4655
27. 16-R-4669	69. 16-R-4615	110. 16-R-4656
28. 16-R-4375	70. 16-R-4616	111. 16-R-4657
29. 16-R-4670	71. 16-R-4617	112. 16-R-4658
30. 16-R-4671	ITEMS ADVERSED ON CONSENT	113. 16-R-4659
31. 16-R-4672	72. 16-R-4618	114. 16-R-4660
32. 16-R-4674	73. 16-R-4619	115. 16-R-4661
33. 16-R-4675	74. 16-R-4620	116. 16-R-4662
34. 16-R-4676	75. 16-R-4621	117. 16-R-4663
35. 16-R-4680	76. 16-R-4622	118. 16-R-4664
36. 16-R-4579	77. 16-R-4623	119. 16-R-4665
37. 16-R-4580	78. 16-R-4624	120. 16-R-4666
38. 16-R-4586	79. 16-R-4625	
39. 16-R-4589	80. 16-R-4626	
40. 16-R-4590	81. 16-R-4627	
41. 16-R-4591	82. 16-R-4628	
42. 16-R-4592	83. 16-R-4629	



16-O-1532

**Adopted by the Atlanta City Council
November 21, 2016**

MAYOR'S ACTION AUTHENTICATION PAGE

APPROVED
NOV 30 2016
WITHOUT SIGNATURE
BY OPERATION OF LAW

MAYOR'S ACTION