



TO: John McDonough, City Manager

FROM: Garrin M. Coleman, P.E., Public Works Director

DATE: September 23, 2016, for Submission onto the Consent Agenda of the October 4, 2016 Mayor and City Council Meeting

ITEM: Consideration of the Acceptance of the Dedication of Right of Way as part of the Development Regulations Ordinance requirements related to Community Development File # LDP15-00045.

Recommendation:

Staff recommends that the Mayor and City Council accept the right of way deed dedicating all that tract or parcel of land lying and located in Land Lot 20 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, JSB Homes, Inc., and is more specifically known as being 6890 Peachtree Dunwoody Road. The dedicated right of way totals 2,347.00 square feet and is being dedicated as required by the Development Regulations Ordinance in Connection with Community Development File# LDP15-00045.

Background:

Section 103-75 of the Development Regulations specifies a minimum-required right of way width based on street classifications. Such width must be dedicated prior to the approval of an Exemption Plat, Final Plat or a Land Disturbance Permit submittal. Property specific zoning conditions may increase or reduce the required right of way amount. Additionally, the right of way must be either the minimum width from centerline, 11' from the back of curb or 1' behind the sidewalk, whichever is greater.

Right of way is being dedicated along the parcel's Peachtree Dunwoody Road frontage per the requirements/conditions of the Development Regulations Ordinance. The property owner has paid the recording fees and met the requirements of the Transportation Services Unit of the Public Works Department and the City's Right of Way Specialist for the dedication of the right of way.

Discussion:

N/A

Alternatives:

N/A

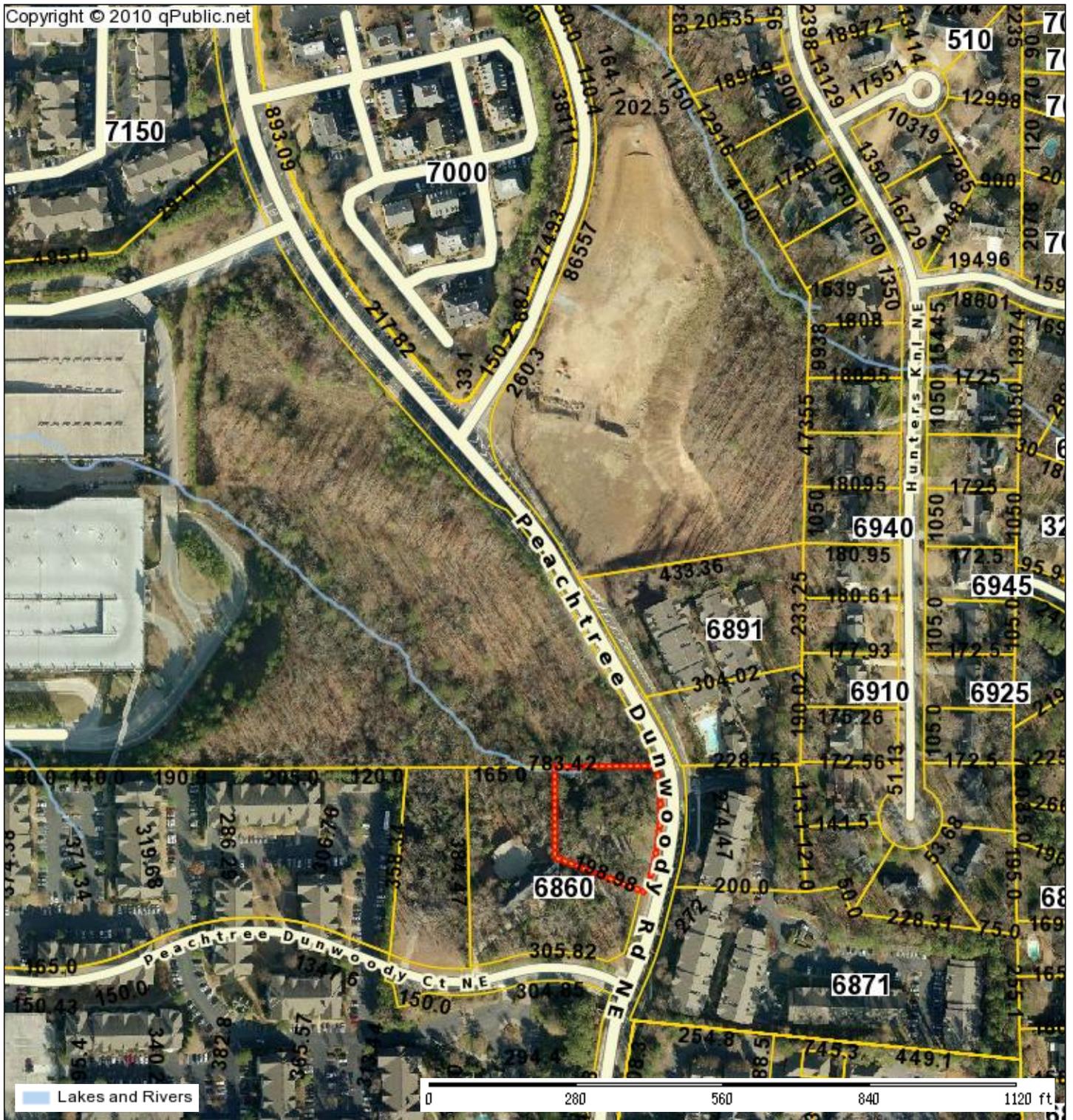
Financial Impact:

None. This is a dedication at no cost to the City.

PUBLIC WORKS

Attachments:

- I. Exhibits
 - Aerial and GIS Maps
 - Executed Right of Way Deed of Dedication including Plats and Legal Descriptions
- II. Resolution



ROW Deed of Dedication			
Parcel: 17 002000010017 Acres: 0.9596			
Name:	JSB HOMES INC	Land Value:	310700
Site:	6890 PEACHTREE DUNWOODY RD	Building Value:	0
Sale:	\$240000 on 2013-07-29 Reason=0 Qual=U	Misc Value:	
Mail:	P O BOX 669 ALPHARETTA, GA 30009	Total Value:	310700



Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.
 Date printed: 09/26/16 : 09:09:59



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	ALPHARETTA, GA 30009		



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 Date printed: 09/26/16 : 09:09:21

AFTER RECORDING, PLEASE RETURN TO:
City Clerk's Office
7840 Roswell Road
Building 500
Sandy Springs, GA 30350

RIGHT OF WAY DEED
(Dedication by Corporate, LLC, etc. Owner)

STATE OF GEORGIA
FULTON COUNTY

THIS INDENTURE, made this 20th day of September, 2016, between JSB Homes, Inc., as Grantor, and the City of Sandy Springs, GA, a municipal corporation of the State of Georgia, as Grantee.

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

That tract of land lying and being in Land Lot 20 of the 17 th District of Fulton County, Georgia and being furthermore described in Deed Book 52972, Page 229. Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Peachtree Dunwoody Road, with a total depth of varies feet from existing centerline and equaling 2347 square feet/acres for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.: LDP15-00045.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons whomsoever.

IN WITNESS WHEREOF Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

Signed, sealed and delivered in the presence of:

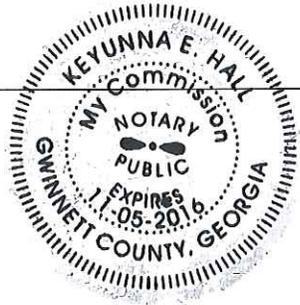
Mark A. Miller
Unofficial Witness
Mark A. Miller

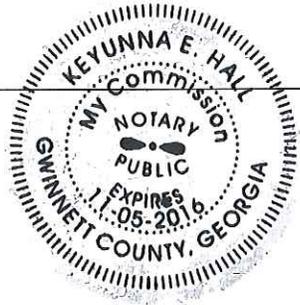
By: *Javad Oskoei* (SEAL)

Name: *JAVAD OSKOEI*

Title: *PRESIDENT*

Keyanna E. Hall
Notary Public

Attest:  (SEAL)



OWNER/DEVELOPER:
 JSB HOMES, INC.
 2145 CLAY DRIVE
 SANDY SPRINGS, GA 30350
 PHONE: (770) 527-1962
 CONTACT: JAVAD OSKOEI

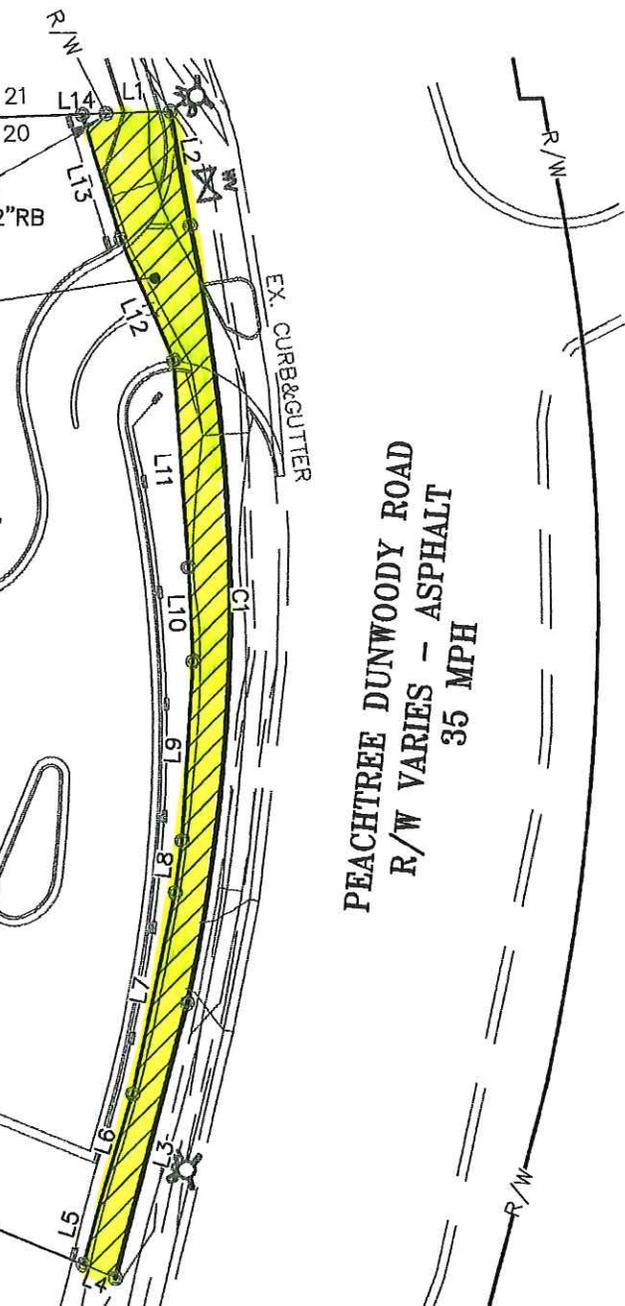
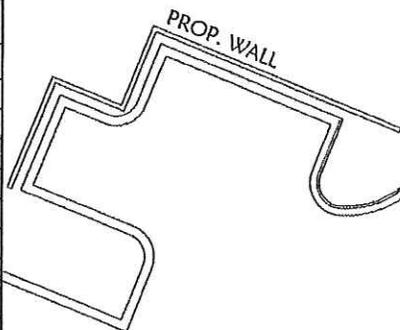
ENGINEER:
 ACR ENGINEERING, INC.
 600 PINNACLE COURT, SUITE 685
 NORCROSS, GEORGIA 30071
 PHONE: (678) 291-0000
 CONTACT: ABBAS HEIDARI

N/F MARTA
 PARCEL# 17 0021
 LL0456 ZONING "O-1"

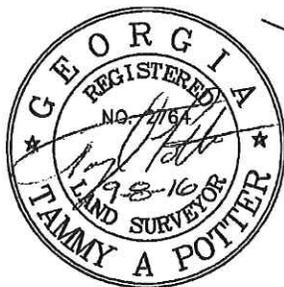
LAND LOT 21
 LAND LOT 20
 T.P.O.B.
 IPF=1/2"RB

RIGHT-OF-WAY DEDICATION
 2,347 SQ. FT.
 0.05 Ac.

LINE TABLE		
LINE	LENGTH	BEARING
L1	14.00	N87°57'00"E
L2	24.92	S10°01'35"E
L3	60.97	S14°42'13"W
L4	7.57	N67°48'00"W
L5	14.67	N15°41'56"E
L6	23.46	N16°49'25"E
L7	44.11	N11°51'14"E
L8	11.19	N07°23'10"E
L9	38.51	N03°19'26"E
L10	20.20	N02°58'48"W
L11	44.55	N04°14'24"W
L12	28.51	N24°05'17"W
L13	28.09	N17°45'46"W
L14	5.22	N87°57'00"E



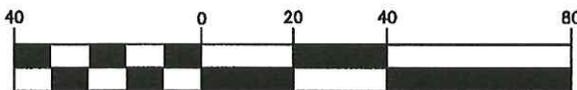
PEACHTREE DUNWOODY ROAD
 R/W VARIES - ASPHALT
 35 MPH



N/F
 PRESCOTT WALK SUBDIVISION
 LAND LOT 20
 17TH DISTRICT
 SANDY SPRINGS
 APP REFERENCE # 201500071
 ZONING "A"

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	168.02	388.40	166.71	S00°00'11"W

GRAPHIC SCALE



(IN FEET)
 1 inch = 40 ft.

SITE:
 6890 PEACHTREE DUNWOODY ROAD
 LDP 15-00045
 TAX PARCEL 17 002000010017

EXHIBIT "A"

T:\APROJENG\13018E\dwg\13018E ROW DEDICATION

Revision/Issue	

RIGHT-OF-WAY DEDICATION
 GRANTED TO:
CITY OF SANDY SPRINGS
 GRANTED FROM:
JSB HOMES, INC.
 6890 PEACHTREE DUNWOODY ROAD
 L.L. 20 17TH DIST.
 CITY OF SANDY SPRINGS
 FULTON COUNTY, GEORGIA

ACR Engineering, inc.
 ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING
 600 PINNACLE COURT
 SUITE 685
 NORCROSS, GA 30071
 TEL: (678) 291-0000
 FAX: (678) 291-6687

Exhibit B

TRACT DESCRIPTION FOR RIGHT OF WAY DEDICATION #6890 PEACHTREE DUNWOODY ROAD

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 20 OF THE 17th DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A ½ INCH REBAR FOUND LOCATED AT THE INTERSECTION OF THE LAND LOT LINE COMMON TO LAND LOTS 20 & 21 AND THE WESTERLY RIGHT-OF-WAY LINE OF PEACHTREE DUNWOODY ROAD (HAVING A VARIABLE RIGHT-OF-WAY WIDTH); THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED RUNNING ALONG SAID LAND LOT LINE AND PROPERTY BELONGING TO M.A.R.T.A. NORTH 87 DEGREES 57 MINUTES 00 SECOND EAST A DISTANCE OF 14.00 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF PEACHTREE DUNWOODY ROAD; THENCE DEPARTING SAID LAND LOT LINE RUNNING ALONG THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF PEACHTREE DUNWOODY ROAD SOUTH 10 DEGREES 01 MINUTE 35 SECONDS EAST A DISTANCE OF 24.92 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 388.40 FEET SUBTENDED BY A CHORD BEARING OF SOUTH 00 DEGREE 00 MINUTE 11 SECONDS WEST A CHORD DISTANCE OF 166.71 FEET ALONG SAID ARC AN ARC DISTANCE OF 168.02 FEET TO A POINT; THENCE SOUTH 14 DEGREES 42 MINUTES 13 SECONDS WEST A DISTANCE OF 60.97 FEET TO A POINT; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUNNING ALONG THE "PRESCOTT WALK SUBDIVISION" NORTH 67 DEGREES 48 MINUTES 00 SECOND WEST A DISTANCE OF 7.57 FEET TO A POINT; THENCE DEPARTING SAID PROPERTY LINE RUNNING NORTH 15 DEGREES 41 MINUTES 56 SECONDS EAST A DISTANCE OF 14.67 FEET TO A POINT; THENCE NORTH 16 DEGREES 49 MINUTES 25 SECONDS EAST A DISTANCE OF 23.46 FEET TO A POINT; THENCE NORTH 11 DEGREES 51 MINUTES 14 SECONDS EAST A DISTANCE OF 44.11 FEET TO A POINT; NORTH 07 DEGREES 23 MINUTES 10 SECONDS EAST A DISTANCE OF 11.19 FEET TO A POINT; THENCE NORTH 03 DEGREES 19 MINUTES 26 SECONDS EAST A DISTANCE OF 38.51 FEET TO A POINT; THENCE NORTH 02 DEGREES 58 MINUTES 48 SECONDS WEST A DISTANCE OF 20.20 FEET TO A POINT; NORTH 04 DEGREES 14 MINUTES 24 SECONDS WEST A DISTANCE OF 44.55 FEET TO A POINT; THENCE NORTH 24 DEGREES 05 MINUTES 17 SECONDS WEST A DISTANCE OF 28.51 FEET TO A POINT; THENCE NORTH 17 DEGREES 45 MINUTES 46 SECONDS WEST A DISTANCE OF 28.09 FEET TO POINT LOCATED ON SAID COMMON LAND LOT LINE AND PROPERTY BELONGING TO M.A.R.T.A.; THENCE ALONG SAID LAND LOT AND PROPERTY LINE NORTH 87 DEGREES 57 MINUTES 00 SECOND EAST A DISTANCE OF 5.22 FEET TO SAID ½" REBAR FOUND LOCATED AT THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 2,347 SQUARE FEET, BEING 0.05 ACRE.

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 20 OF THE 17th DISTRICT,
FULTON COUNTY, CITY OF SANDY SPRINGS, GEORGIA**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

WHEREAS, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

That they approve the acceptance of the dedication of a Right of Way Deed from JSB Homes, Inc., on property more particularly described as being 6890 Peachtree Dunwoody Road, Sandy Springs, Georgia. This dedication is associated with Community Development File# LDP15-00045.

As required per conditions of the Development Regulations Ordinance, the City authorizes the acceptance of the required 2,347.00 square feet of Right of Way along Peachtree Dunwoody Road in land lot 20 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 4th of October, 2016.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)