

Ordinance No _____

AN ORDINANCE OF THE CITY OF LOGANVILLE, GEORGIA, TO ABANDON CERTAIN DOWNTOWN ALLEYWAYS AND PROVIDE FOR THEIR SALE TO ADJOINING PROPERTY OWNERS

WHEREAS, pursuant to the Charter of the City of Loganville and Georgia law, the City of Loganville (“City”) has the authority to dispose of certain public property when it has been determined that certain property should be abandoned in that the property has become unsuitable for the purpose for which it was originally dedicated; and,

WHEREAS, the City owns certain alleyways located in and around the southwestern corner of the intersection of Main Street and Pecan Street, all as more fully identified as the area shown as “Alley” on the survey plat attached hereto and incorporated herein by reference as Exhibit A (hereinafter the total area in question to be abandoned shall be referred to as the “Alleys”) (hereinafter the plat attached hereto as Exhibit A shall be referred to as the “Plat”); and,

WHEREAS, City staff has determined that the Alleyways no longer serve any public purpose in that these Alleyways “lead to nowhere” based on the past development of surrounding parcels and provide no interconnectivity throughout the downtown area of the City; and,

WHEREAS, continued ownership of these Alleyways that serve no public purpose places undue responsibility and burden for the ownership and maintenance of these Alleyways on the City; and,

WHEREAS, OCGA §36-37-6(g) authorizes the City to negotiate directly with the neighboring property owners of the Alleyways to sell the Alleyways in whole or in part to the neighboring property owners; and,

WHEREAS, sale of these Alleyways to the adjoining property owners would facilitate the enjoyment of the highest and best use of the adjoining property owners’ property; and,

WHEREAS, the City wishes to authorize the City Manager to contact the adjoining property owners and negotiate directly with them for the sale of the Alleyways; and,

WHEREAS, in developing the Plat a “Gore Strip” identified on the Plat as Tract 6 was identified wherein the ownership of Tract 6 is in question; and,

WHEREAS, Tract 6 on the Plat most logically belongs to and serves the highest and best use of the neighboring Tract 5 owner located at 4421 Pecan Street; and,

WHEREAS, the City wishes to release any and all unknown ownership rights it may have in Tract 6 on the Plat to the owner of Tract 5; and,

WHEREAS, the City wishes to retain certain utility easement interests in, across, under and over the Alleyways to allow certain City utilities to continue to service the adjoining property owners;

WHEREAS, the City wishes to abandon the Alleyways and sell them all in accordance with the City Charter and Georgia law; and,

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and City Council of Loganville do hereby ordain as follows:

1. Alleyways are declared abandoned. The City hereby declares the Alleyways abandoned in that they no longer serve any legitimate public interest and they have become unsuitable for the purpose for which they were originally dedicated.
2. Alleyways shall be sold. The Alleyways shall be sold to the adjoining property owners in accordance with OCGA § 36-37-6(g). The City Manager in conjunction with the City Attorney is authorized to negotiate the sale of the Alleyways directly with the adjoining property owners. It is anticipated that the Alleyways will be subdivided and sold in the most logical manner to the adjoining property owners. Should multiple adjoining property owners wish to purchase the same portions of the Alleyways then the City Manager in conjunction with the City Attorney shall subject the sale of those portions of the Alleyways to sealed bid from the interested adjoining property owners. The highest bidder under the sealed bid process shall be determined to be the purchaser of those portions of the Alleyways. The City Manager is authorized to execute any and all documents necessary, including the necessary conveyance deed to effectuate these sales.
3. Tract 6 to be conveyed. The City Manager is authorized to execute a Quitclaim Deed in favor of the owner of Tract 5 conveying any and all interest in Tract 6 that the City may have for no consideration, given that the title to Tract 6 is in question and the most logical owner of Tract 6 would be Tract 5.
4. City shall retain Utility Easements over the Alleyways. The City shall retain unto itself a general utility easement over, under, above and through the Alleyways to allow certain City utilities to remain in the Alleyways.
5. Should a court of competent jurisdiction deem any phrase, clause, sentence or section of this Ordinance unconstitutional, such determination shall not affect the remaining provisions of this Ordinance, which provisions shall remain in full force and effect.
6. All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.
7. This ordinance shall be effective on the date of its adoption.

SO ORDAINED this ____ day of _____, 2024.

CITY OF LOGANVILLE, GEORGIA

Approved: _____

Skip Baliles, Mayor

Attest: _____

Danny Roberts, City Manager

This drawing is the property of Engineering303, L.L.C. and is not to be reproduced or copied in whole or in part or used for furnishing information to others, or for any other purpose detrimental to the interests of Engineering303, L.L.C. and is to be returned upon request.

COPYRIGHT © 2018

PARCEL INFORMATION:

Parcel Id No.: LG050024
 LG050026
 LG050027
 LG050028

LG050024: Property is Zoned CH, Walton County
 LG050026: Property is Zoned CBD, Walton County
 LG050027: Property is Zoned CBD, Walton County
 LG050028: Property is Zoned CBD, Walton County

Building setback lines are not shown. Any setbacks and buffers shown are governed by the local jurisdiction and should be confirmed in writing prior to land planning or any construction activities.

ENVIRONMENTAL NOTES:

1. No attempt was made by this firm to determine presence of wetlands.
2. No attempt was made by this firm to determine the presence of specimen trees.

ABBREVIATION LEGEND:

- AE = access easement
- CB = catch basin
- CL = centerline
- CMF = concrete monument found
- CMP = corrugated metal pipe
- CO = clean out
- CT = crimp top pipe
- CP = communication pedestal
- DE = drainage easement
- DI = drop inlet
- DIP = ductile iron pipe
- DWCB = dbl. wing catch basin
- FH = fire hydrant
- GI = grate inlet
- GW = guy wire
- HW = head wall
- IPS = iron pin set
- JB = junction box
- INV = invert
- L.L.L. = land lot line
- LP = light pole
- MH = manhole (sanitary sewer)
- OCS = outlet control structure
- OT = open top pipe
- PI = pedestal inlet
- PL = property line
- POL = point on line
- PP = power pole
- RB = reinforcing bar
- RCP = reinforced concrete pipe
- R/W = right-of-way
- SSE = sanitary sewer easement
- SWCB = single wing catch basin
- TSP = traffic signal pole
- TSB = traffic signal box
- TP = telephone pole
- WM = water meter
- WV = water valve
- YI = yard inlet

SYMBOL LEGEND:

- double wing catch basin
- fire hydrant
- guy wire
- light pole
- power pole
- sanitary sewer manhole
- clean out
- transformer
- water meter
- single wing catch basin
- grate inlet
- junction box
- head wall
- stop sign
- buffer
- bldg setback
- fence
- overhead electric
- underground electric
- water line
- sanitary line
- gas line
- computed point

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 52°23'12" W | 32.00' |
| L2 | S 34°47'48" E | 4.00' |
| L3 | S 52°23'12" W | 50.00' |
| L4 | S 53°24'32" W | 26.44' |
| L5 | S 51°26'14" W | 26.26' |
| L6 | N 52°34'15" E | 130.00' |
| L7 | N 52°53'37" E | 133.50' |

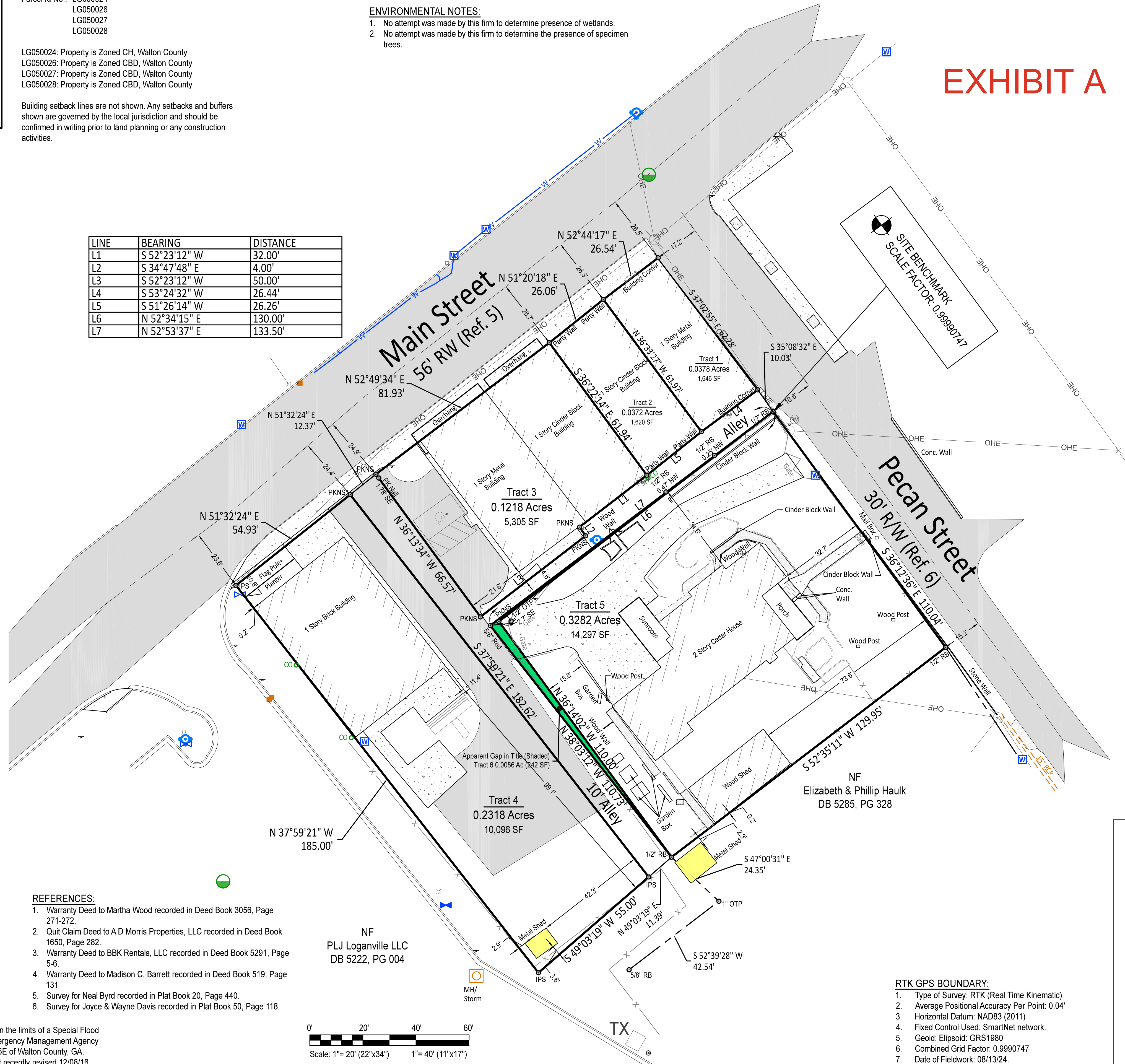


EXHIBIT A



LOCATION MAP
NOT TO SCALE

SURVEY NOTES:

1. Certain interior improvements may not be shown hereon, i.e. fence lines, guy wires, etc.
2. Matters of record not shown hereon are excepted.
3. Bearing basis derived from 2 control points set with Carlson BRx7 GPS System and SmartNet network. All other work performed with methods described below.
4. Measurements shown are US Survey Feet (ground).
5. Field angles and linear distances measured using a Leica TS 12P Robotic Total Station.
6. Property corners marked IPS (Iron Pin Set) are 1/2" x 18" rebar with blue plastic cap (E303 LSF #1121) unless otherwise indicated. Unless indicated as set, monumentation shown was found.
7. No evidence of human burials or cemeteries was observed on site during the course of the fieldwork.
8. This plat has been calculated for closure and is found to be accurate within one foot in 98,128 feet.

GENERAL NOTES:

1. Only evidence of easements or structures which are readily apparent from an above ground field inspection of the premises are shown, unless stated otherwise hereon. No liability is assumed by this firm for losses relating to the existence of any easement not discovered by above ground field inspection of the premises.
2. This plat was prepared for the exclusive use of the person, persons, or entity named hereon. Said certification does not extend to any unnamed persons without a recertification by the surveyor.
3. Jurisdictional areas or negative easements, if any, which might impact the use of the property were not located, unless stated otherwise. No liability is assumed by this firm for any losses resulting from the exercise of any government jurisdiction affecting the use of the property.
4. The property shown and described hereon is subject to any existing easements, rights-of-way, restrictive covenants, zoning regulations, underground utilities and/or setback lines whether or not they may be shown. No liability is assumed by this firm for any losses that may be associated with the existence of any easements or restrictions on the use of the property.
5. Location map from Walton County GIS.
6. All building ties are perpendicular to the property lines unless otherwise noted.
7. Only Surface Observable Utilities were located. Prior to any digging or construction, contact Georgia One Call (811) for utilities marking.

SURVEYOR CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon.
 RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

GA CERT OF AUTH. LSF 1121

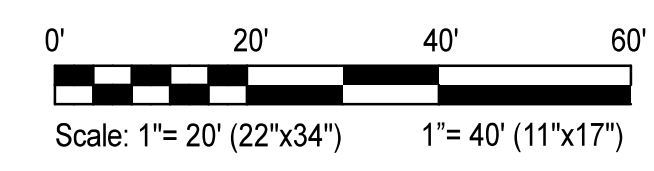


REFERENCES:

1. Warranty Deed to Martha Wood recorded in Deed Book 3056, Page 271-272.
2. Quit Claim Deed to A D Morris Properties, LLC recorded in Deed Book 1650, Page 282.
3. Warranty Deed to BBK Rentals, LLC recorded in Deed Book 5291, Page 5-6.
4. Warranty Deed to Madison C. Barrett recorded in Deed Book 519, Page 131
5. Survey for Neal Byrd recorded in Plat Book 20, Page 440.
6. Survey for Joyce & Wayne Davis recorded in Plat Book 50, Page 118.

FLOOD HAZARD NOTE:

No portion of this property is contained within the limits of a Special Flood Hazard Zone as defined by the Federal Emergency Management Agency Flood Insurance Rate Map No. 13297C0085E of Walton County, GA. (Community Panel No. 1303260085E), most recently revised 12/08/16.



RTK GPS BOUNDARY:

1. Type of Survey: RTK (Real Time Kinematic)
2. Average Positional Accuracy Per Point: 0.04'
3. Horizontal Datum: NAD83 (2011)
4. Fixed Control Used: SmartNet network.
5. Geoid: Ellipsoid: GRS1980
6. Combined Grid Factor: 0.99990747
7. Date of Fieldwork: 08/13/24.



Boundary Survey of:
 Parcel # LG050024, LG050026, LG050027, LG050028
City of Loganville
 Loganville
 4th District
 Walton County, GA
 Land Lot 186

GA Cert. of Auth. LSF 1121

Civil Engineering, Land Surveying,
 Stream and Wetland Restoration
 108 Allen Street Cumming, Georgia 30040
 Phone: 770-442-0500 www.engineering303.com

Drawn: NH
 Date: 08/16/24
 Sheet
1 of 1
 Project Number
24-5220