

Resolution No. 2021-001

A RESOLUTION ACCEPTING THE DEDICATION OF STREETS AND OTHER ITEMS CONTAINED WITHIN VINEYARDS SUBDIVISION; EXPRESSLY DISCLAIMING THE ACCEPTANCE OF OTHER ITEMS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat for the Vineyards subdivision was previously executed and approved as fulfilling the requirements of the Unified Development Code, including the necessary Certification of Ownership and Dedication to the City of Powder Springs of public infrastructure and recorded;

WHEREAS, the Owner did not complete the final paving and topping of the streets within Vineyards subdivision, including Lilycrest Way, Groveland Park Drive, Vineridge Drive, Vine Grove Street, but did collect paving fees with the issuance of building permits in the Vineyards subdivision, which the City has obtained and deposited for subsequent use in offsetting the costs to complete paving;

WHEREAS, the City of Powder Springs has never formally accepted the Owner's dedication, and the Unified Development Code requires that acceptance of improvements by the City for perpetual maintenance occurs by resolution of the City Council;

WHEREAS, the Mayor and Council deem it appropriate to accept for maintenance the streets from curb to curb, though extending to include the paved surface of sidewalks which are currently present, the water lines and sanitary sewer lines to be transferred to Cobb County, and storm water drainage lines excluding retention or detention ponds, including sufficient easement areas for such maintenance of the accepted elements, while expressly disclaiming and not accepting any and all elements not expressly accepted, including but not limited to trees, parks, playgrounds, open spaces, community green and detention or retention ponds; and

WHEREAS, the City of Powder Springs desires to use resurfacing monies from the 2016 SPLOST program and the paving fees to complete paving of all streets within Vineyards subdivision.

NOW THEREFORE, BE IT THEREFORE RESOLVED by the Mayor and Council for the City of Powder Springs as follows:

- (1) That the streets (back of curb to back of curb), sidewalks, water lines and sanitary sewer lines that will be transferred to Cobb County, and storm water drainage lines but not detention or retention ponds, including sufficient easement area within the platted right of way for maintenance of the accepted elements in Vineyards subdivision as shown in the real estate records of the Clerk of Superior Court, Cobb County, Georgia are hereby accepted for perpetual maintenance;
- (2) That all areas or improvements contained within the referenced plat which are not hereby expressly accepted, are hereby expressly disclaimed and not accepted, including but not limited to trees, parks, playgrounds, open spaces, community greens, wetland easement areas, and detention or retention ponds; and
- (3) The SPLOST Program Manager and Public Works Director are hereby directed to proceed with the paving and topping of Lilycrest Way, Groveland Park Drive,

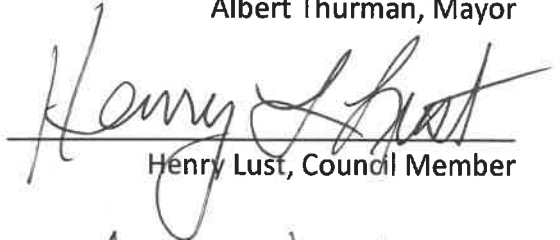
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Vineridge Drive and Vine Grove Street using paving fees and 2016 SPLOST proceeds.

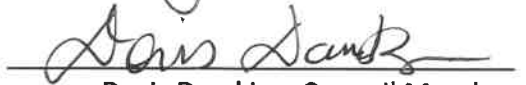
SO RESOLVED this 4th day of January, 2021.



Albert Thurman, Mayor



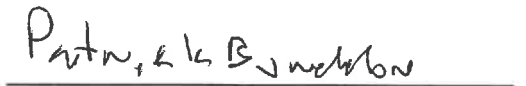
Henry Lust, Council Member



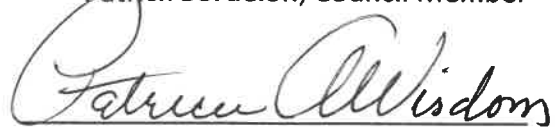
Doris Dawkins, Council Member



Thelma C Farmer, Council Member



Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

Attest:


Kelly Axt, City Clerk