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## RESOLUTION 2018 - 114

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**A RESOLUTION AUTHORIZING A CORRECTIVE CONVEYANCE FROM THE CITY TO THE POWDER SPRINGS DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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**WHEREAS**, by virtue of the authority provided by Resolution 2018-49 adopted on April 11, 2018, the City conveyed certain real property to the Powder Springs Downtown Development Authority in relation to a public park project in the downtown development district of Powder Springs, Georgia; and

**WHEREAS**, the description of the property for the public park project as contained in said Resolution and the subsequent quitclaim deed from the City, while encompassing the area of the public park project, erroneously included additional property; and

**WHEREAS**, the correct description of said property is contained in Exhibit A, attached hereto and incorporated herein by way of reference (hereinafter, "the Project Property"); and

**WHEREAS**, it is necessary to correct the prior conveyance to the Powder Springs Downtown Development Authority.

**NOW THEREFORE BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Powder Springs that the City shall convey the Project Property to the Powder Springs Downtown Development Authority by corrective quitclaim deed. The Mayor is authorized to execute a corrective quitclaim deed and any other documentation necessary to effectuate same, after review and revision, if necessary, by the City Attorney. This Resolution shall be effective immediately upon adoption.

**SO RESOLVED** this 16th day of July, 2018.

  
Albert Thurman, Mayor

  
Doris Dawkins, Council Member

  
Patrick Bordelon, Council Member

[signatures continued on following page]

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no - Patricia A Wisdom  
Patricia Wisdom, Council Member

Henry Lust  
Henry Lust, Council Member

no Thelma C Farmer  
Thelma C. Farmer, Council Member

Attest: Kelly Axt  
Kelly Axt, City Clerk

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### EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 875 of the 19th District of the 2nd Section, City of Powder Springs, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a point at the intersection of the northerly Right-of-Way of Marietta Street (Variable Right-of-Way) with the westerly Right-of-Way of Jackson Way Extension (Variable Right-of-Way); THENCE, westerly along said northerly Marietta Street Right-of-Way on a bearing of North 87 degrees 57 minutes 10 seconds West, for a distance of 91.52 feet to a point; THENCE, westerly on a bearing of North 87 degrees 59 minutes 13 seconds West, for a distance of 82.24 feet to a point; THENCE, westerly on a bearing North 88 degrees 46 minutes 28 seconds West, for a distance of 78.15 feet to a point at the intersection of the northerly Right-of-Way of Marietta Street (Variable Right-of-Way) with the easterly side of Oakview Drive, said point being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING, westerly along said northerly right of way and crossing Oakview Drive on a bearing of North 88 degrees 20 minutes 04 seconds West, for a distance of 49.27 feet to a point;

THENCE, northerly on a bearing of North 03 degrees 10 minutes 08 seconds East, for a distance of 2.39 feet to a point;

THENCE, westerly on a bearing of North 88 degrees 20 minutes 04 seconds West, for a distance of 4.83 feet to a point;

THENCE, northerly leaving said northerly right of way on a bearing of North 02 degrees 36 minutes 14 seconds East, for a distance of 72.91 feet to a point;

THENCE, westerly along the north boundary of Denson & Elsie McDow (PID# 19087500150) and Russell Gary (PID# 19087500160) on a bearing of North 86 degrees 49 minutes 46 seconds West, for a distance of 70.32 feet to a point at the common boundary with Kenneth C. Prevatt (PID# 19087500170);

THENCE, northerly along said common boundary on a bearing of North 03 degrees 07 minutes 37 seconds East, for a distance of 9.04 feet to a point;

THENCE, westerly along the common property line with Kenneth C. Prevatt (PID# 19087500170) on a bearing of North 88 degrees 04 minutes 19 seconds West, for a distance of 48.01 feet to a point;

THENCE, southerly on a bearing of South 02 degrees 40 minutes 30 seconds West, for a distance of 86.46 feet to a point at the northerly Right-of-Way of Marietta Street (Variable Right-of-Way);

THENCE, westerly along said northerly right of way on a bearing of North 88 degrees 33 minutes 50 seconds West, for a distance of 19.00 feet to a point at the common boundary with Larry P. & Joan D. Evans (PID# 19087500650);

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THENCE, northerly leaving said right of way and along common property line with Larry P. & Joan D. Evans (PID# 19087500650) on a bearing of North 02 degrees 18 minutes 35 seconds East, for a distance of 73.71 feet to a point;

THENCE, westerly along common property line with Larry P. & Joan D. Evans (PID# 19087500650) on a bearing of North 88 degrees 17 minutes 02 seconds West, for a distance of 61.00 feet to a point;

THENCE, southerly on a bearing of South 01 degrees 36 minutes 38 seconds West, for a distance of 8.00 feet to a #4 rebar and cap found;

THENCE, westerly on a bearing of North 88 degrees 20 minutes 30 seconds West, for a distance of 20.00 feet to a #4 rebar and cap found at the common property with City of Powder Springs (PID# 19087500210);

THENCE, southerly along said common property line on a bearing of South 01 degrees 32 minutes 46 seconds West, for a distance of 63.61 feet to a point at the northerly Right-of-Way of Marietta Street (Variable Right-of-Way);

THENCE, westerly along said northerly right of way on a bearing of North 88 degrees 20 minutes 30 seconds West, a distance of 31.17 feet to a point;

THENCE, continuing westerly along said northerly Right-of-Way of Marietta Street on a bearing of North 83 degrees 59 minutes 59 seconds West, for a distance of 45.98 feet to a point at the intersection of the northerly Right-of-Way of Marietta Street (Variable Right-of-Way) with the westerly Right-of-Way of Pineview Drive (Variable Right-of-Way);

THENCE, westerly along a curve to the right with an arc length of 124.62 feet, having a radius of 1832.27 feet, and being subtended by a chord bearing of North 82 degrees 23 minutes 17 seconds West, for a distance of 124.60 feet to a point at the common boundary line with the City of Powder Springs (PID# 19087500300);

THENCE, northerly leaving said northerly Marietta Street right of way and along said common boundary line, on a bearing of North 02 degrees 57 minutes 14 seconds East, for a distance of 40.05 feet to a 3/4" open top pipe found;

THENCE, North 03 degrees 35 minutes 46 seconds East, for a distance of 326.10 feet to a point on the southerly Right-of-Way of Jackson Way (30' Right-of-Way);

THENCE, southeasterly along said right of way and leaving said common boundary line on a bearing of South 58 degrees 45 minutes 03 seconds East, for a distance of 138.48 feet to a point on the westerly Right-of-Way of Pineview Drive (Variable Right-of-Way);

THENCE, North 03 degrees 18 minutes 59 seconds East, for a distance of 28.75 feet to a point;

THENCE, South 86 degrees 41 minutes 01 seconds East, for a distance of 41.96 feet to a point on the easterly Right-of-Way of Pineview Drive (Variable Right-of-Way) and the westerly boundary line with Powder Springs Downtown Development (PID# 19087500240);

THENCE, northerly along said easterly right of way and crossing Jackson Way Extension on a bearing of North 02 degrees 09 minutes 50 seconds East, for a distance of 62.43 feet to a point; THENCE, North 01 degrees 36 minutes 31 seconds East, for a distance of 15.86 feet to a point at the intersection of the northerly side of Jackson Way Extension with the easterly Right-of-Way of Pineview Drive (Variable Right-of-Way), said point also being the southwest corner of the property of City of Powder Springs (PID# 19087500090);

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THENCE, easterly on a bearing of South 87 degrees 01 minutes 01 seconds East, for a distance of 188.23 feet to a point;

THENCE, southerly on a bearing of South 02 degrees 22 minutes 59 seconds West, for a distance of 7.01 feet to a point;

THENCE, easterly on a bearing of South 87 degrees 37 minutes 01 seconds East, for a distance of 63.28 feet to a point on the westerly side of Oakview Drive Extension (50' Right-of-Way); THENCE, easterly crossing Oakview Drive Extension on a bearing of South 87 degrees 01 minutes 01 seconds East, for a distance of 40.00 feet to a point on the easterly side of Oakview Drive Extension (50' Right-of-Way);

THENCE, southerly along said easterly right of way on a bearing of South 02 degrees 35 minutes 45 seconds West, for a distance of 7.39 feet to a point at the intersection of the easterly right of way of Oakview Drive Extension with the northerly right of way of Jackson Way;

THENCE, easterly along the northerly right of way of Jackson Way on a bearing of South 87 degrees 27 minutes 40 seconds East, for a distance of 76.79 feet to a #4 rebar found at the southwest corner of the property of Townhomes at Park Place HOA Inc (PID# 19087501280);

THENCE, southerly leaving said northerly right of way and crossing Jackson Way on a bearing of South 01 degrees 16 minutes 38 seconds East, for a distance of 60.16 feet to a #4 rebar found at the common corner with 5 Rise Locks LLC (PID# 19087500700);

THENCE, westerly along the common property line of 5 Rise Locks LLC (PID# 19087500700) on a bearing of North 87 degrees 26 minutes 03 seconds West, for a distance of 69.72 feet to a point;

THENCE, southerly along the common property line of 5 Rise Locks LLC (PID# 19087500700) and along the common property line of Milkwick Gary Earl & Annita Lynn McClure (PID# 19087500700) on a bearing of South 03 degrees 10 minutes 08 seconds West, for a distance of 223.44 feet to a point at the common property corner with Nguyen Duoc & Crystal (PID# 19087500140);

THENCE, southerly along the common boundary line with Nguyen Duoc & Crystal (PID# 19087500140) on a bearing of South 01 degrees 03 minutes 03 seconds West, for a distance of 117.85 feet to the POINT OF BEGINNING.

The herein described tract of land contains 170,729 Square Feet or 3.92 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.