

AN ORDINANCE  
ENTITLED

22-112

**AN ORDINANCE CLOSING BENJAMIN AVE. AND ALLEYS IN THE VICINITY OF 315-375 SLAPPEY BLVD., MORE PARTICULARLY DESCRIBED HEREIN WITH CERTAIN RESERVATIONS, AUTHORIZING THE EXECUTION OF QUIT CLAIM DEED; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES.**

WHEREAS, Benjamin Ave. and alleys in the vicinity of 315-375 Slappey Blvd., hereinafter more particularly described, are not presently being used sufficiently to justify their continuances as a street and public alleys and it has been determined that it is in the public interest that the same be closed; and

WHEREAS, a Public Hearing on the proposed closing of Benjamin Ave. and alleys in the vicinity of 315-375 Slappey Blvd., was held at the Work Session of the Board of Commissioners of the City of Albany, Georgia, on the 20<sup>th</sup> day of September 2022, after due notice of said Public Hearing was advertised once a week for four weeks in the Albany Herald and comments were received,

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. There is hereby closed Benjamin Ave. and alleys in the vicinity of 315-375 Slappey Blvd., more particularly described as follows:

**BENJAMIN AVENUE**

All that certain tract or parcel of land lying in and being part of Land Lot 373 of the First Land District, City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the northeast right-of-way of Benjamin Street (60' r/w) and the southeast right-of-way of Eva Street (60' r/w) and go South 52 degrees 33 minutes 25 seconds East along the northeast right-of-way of Benjamin Street 349.29 feet to the Point of Beginning. From this point go North 69 degrees 56 minutes 18 seconds East along the north right-of-way of Benjamin Avenue (80' r/w) a distance of 371.51 feet; go thence North 08 degrees 46 minutes 37 seconds East along the north right-of-way of Benjamin Avenue a distance of 14.42 feet to the southwest right-of-way of Dawson Road (80' r/w); go thence South 47 degrees 33 minutes 23 seconds East along the southwest right-of-way Dawson Road a distance of 104.43 feet; go thence South 69 degrees 56 minutes 18 seconds West along the south right-of-way of Benjamin Avenue a distance of 360.87 feet; go thence South 00 degrees 12 minutes 30 seconds West along

the south right-of-way of Benjamin Avenue a distance of 15.74 feet to the northeast right-of-way of Benjamin Street; go thence North 52 degrees 33 minutes 25 seconds West along the northeast right-of-way of Benjamin Street a distance of 112.35 feet to the Point of Beginning.

Said tract or parcel contains 0.703 acres.

#### **WILDCROSS SUBDIVISION BLOCK D ALLEY**

All that certain tract or parcel of land lying in and being part of Land Lot 373 of the First Land District, City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the south right-of-way of Mary Avenue (60' r/w) and the southeast right-of-way of Eva Street (60' r/w) and go South 13 degrees 34 minutes 20 seconds West along the southeast right-of-way of Eva Street a distance of 160.00 feet to the Point of Beginning. From this point go South 76 degrees 19 minutes 49 seconds East a distance of 420.00 feet; go thence South 79 degrees 55 minutes 39 seconds East a distance of 140.62 feet; go thence South 79 degrees 57 minutes 53 seconds East a distance of 91.25 feet to the west right-of-way of William Street (60' r/w); go thence South 00 degrees 12 minutes 30 seconds West along the west right-of-way of William Street a distance of 20.30 feet; go thence North 79 degrees 57 minutes 53 seconds West a distance of 94.74 feet; go thence North 79 degrees 55 minutes 39 seconds West a distance of 141.23 feet; go thence North 76 degrees 19 minutes 49 seconds West a distance of 420.59 feet to the southeast right-of-way of Eva Street; go thence North 13 degrees 34 minutes 20 seconds East along the southeast right-of-way of Eva Street a distance of 20.00 feet to the Point of Beginning.

Said tract or parcel contains 0.300 acres.

#### **WILDCROSS SUBDIVISION BLOCK I ALLEY**

All that certain tract or parcel of land lying in and being part of Land Lot 373 of the First Land District, City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the northeast right-of-way of Benjamin Street (60' r/w) and the southeast right-of-way of Eva Street (60' r/w) and go North 37 degrees 17 minutes 01 second East along the southeast right-of-way of Eva Street a distance of 160.00 feet to the Point of Beginning. From this point go North 37 degrees 17 minutes 01 second East along the southeast right-of-way of Eva Street a distance of 20.00 feet go thence South 52 degrees 33 minutes 25 seconds East a distance of 464.44 feet to the north right-of-way of Benjamin Avenue (80' r/w); go thence South 69 degrees 56 minutes 18 seconds West along the north right-of-way of

Benjamin Avenue a distance of 23.71 feet; go thence North 52 degrees 33 minutes 25 seconds West a distance of 451.64 feet to the Point of Beginning.

Said tract or parcel contains 0.210 acres.

### **WILDCROSS SUBDIVISION BLOCK L ALLEY**

All that certain tract or parcel of land lying in and being part of Land Lot 373 of the First Land District, City of Albany, Dougherty County, Georgia and being more particularly described as follows:

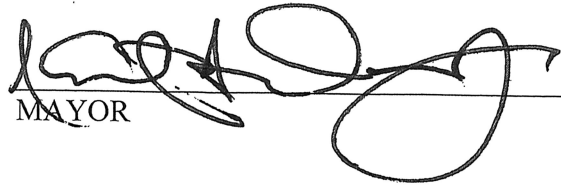
Commence at the intersection of the northeast right-of-way of Benjamin Street (60' r/w) and the southeast right-of-way of Eva Street 60' r/w) and go South 52 degrees 33 minutes 25 seconds East along the northeast right-of-way of Benjamin Street 461.64 feet; go thence North 00 degrees 12 minutes 30 seconds East along the south right-of-way of Benjamin Avenue (80' r/w) a distance of 15.74 feet; go thence North 69 degrees 56 minutes 18 seconds East along the south right-of-way of Benjamin Avenue a distance of 180.07 feet to the Point of Beginning. From this point go North 69 degrees 56 minutes 18 seconds East along the south right-of-way of Benjamin Avenue a distance of 21.30 feet; go thence South 00 degrees 04 minutes 49 seconds West a distance of 579.72 feet to the north right-of-way of Gillionville Road (r/w varies); go thence along the arc of a curve concave to the northwest along the north right-of-way of Gillionville Road a distance of 20.55 feet, having a radius of 1596.71 feet, a chord bearing of South 76 degrees 50 minutes 03 seconds West and a chord distance of 20.55 feet; go thence North 00 degrees 04 minutes 49 seconds East a distance of 577.09 feet to the Point of Beginning.

Said tract or parcel contains 0.266 acres.


SECTION 2. An easement is reserved to the City of Albany on behalf of itself and the owners and operators of other public utilities for the purpose of constructing, using, operating and maintaining electric, gas, water, sewage, drainage, telephone lines, and facilities, and other utility facilities that may be thereon or placed thereon by the City of Albany, Georgia or under its authority, or with its permission, together with right of ingress and egress as may be necessary for the construction, maintenance and operation of the same.

SECTION 3. Upon application of the adjacent property owner and satisfactory proof of ownership, the City Manager, and/or his designee, and the City Clerk are authorized to execute Quit Claim Deed in the name of and on behalf of the City of Albany, Georgia, and to affix the seal of the City thereto conveying to said adjoining property owner its pro-rata share of Benjamin Ave.

SECTION 4. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.

  
MAYOR

ATTEST:

  
CITY CLERK

Adopted: October 25, 2022

Introduced By: Chad Warbington

