

AN ORDINANCE 19-112
ENTITLED

AN ORDINANCE AMENDING ORDINANCE 19-107; AUTHORIZING
EXECUTION OF CORRECTIVE QUIT CLAIM DEED; REPEALING PRIOR
ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, Dogwood Trail Apartments has requested the City abandon existing utility easements in two alleys that were previously closed on March 26, 2019, by Ordinance 19-107; and

WHEREAS, any relocation of the utilities will be done at no expense to the City of Albany and will not adversely affect the operation of City utilities; and

WHEREAS, it is in the City's best interests to accept relocation of utilities as described in the June 11, 2019 Agenda Item which is attached hereto and incorporated by reference,

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. The Mayor, or her designee, and the City Clerk are authorized to execute a *Corrective 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. A copy of the *Corrective Quit Claim Deed* is attached hereto and incorporated herein by reference.

SECTION 2. The City Attorney is authorized to record the *Corrective Quit Claim Deed*.

SECTION 3. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.


MAYOR

ATTEST:


CITY CLERK

Adopted: June 26, 2019



Introduced By Commissioner: Bob Langstaff, jr
Date(s) read: June 26, 2019

Return To:
C. Nathan Davis
City Attorney
P.O. Box 447
Albany, Georgia 31702-0447

STATE OF GEORGIA }
COUNTY OF DOUGHERTY }
CORRECTIVE QUIT-CLAIM DEED }

THIS INDENTURE, made the 26th day of June, 2019, between **THE CITY OF ALBANY, GEORGIA**, as party of the first part, hereinafter called Grantor, and **NEW ALBANY HOMES, LLC**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, personal representatives, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quit-claim to the said Grantee all the right, title interest, claim or demand which the Grantor has or may have had in and to the following described real property, to wit:

Tract 1: Beginning at the northeast corner of Lot 16, Block E according to the map of Revised Pineview Subdivision as recorded in the Office of the Clerk of the Superior Court of Dougherty County, Georgia in Plat Book 1, at Page 271, said point being at the intersection of the west right of way of East Road (60' row) and the south right of way of Pineview Drive (50' row); thence along the south right of way of said Pineview Drive, South 89°56'51" West, 163.60 feet to the POINT OF BEGINNING; thence South 00°14'45" West, 560.00 feet to the north right of way of a 20 foot alley; thence South 89°56'51" West, 20.00 feet; thence North 00°14'45" East, 560.00 feet to the south right of way of said Pineview Drive; thence along south right of way of said Pineview Drive, North 89°56'51" East, 20.00 feet to the point of beginning and containing 11,200 square feet, more or less.

Tract 2: Beginning at the southeast corner of Lot 2, Block F according to the map of Revised Pineview Subdivision as recorded in the Office of the Clerk of the Superior Court of Dougherty County, Georgia in Plat Book 1, at Page 271, said point being at the intersection of the west right of way of East Road (60' row) and the north right of way of Pineview Drive (50' row); thence along the north right of way of said Pineview Drive, South 89°56'51" West, 162.60 feet to the POINT OF

BEGINNING; thence continue along the north right of way of said Pineview Drive, South 89°56'51" West, 20.00 feet; thence North 00°14'45" East, 614.75 feet to the south right of way of Clark Avenue (US Highway 82 (rw varies)); thence along the south right of way of said Clark Avenue, North 88°45'00" East, 20.01 feet; thence South 00°14'45" West, 615.17 feet to the point of beginning and containing 12,299 square feet, more or less.

The purpose of this Quit Claim Deed is to quit claim the real property and not reserve the easement referred to in that certain Quit Claim Deed from The City of Albany, Georgia, to New Albany Homes, LLC, recorded at Deed Book 4594, Pages 74-77, Dougherty County Deed Records.

with all rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, so that neither the said Grantor, nor any other person or persons claiming under the Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
in the presence of:

THE CITY OF ALBANY, GEORGIA

WITNESS

By: Dorothy Hubbard
Dorothy Hubbard, Mayor

NOTARY PUBLIC

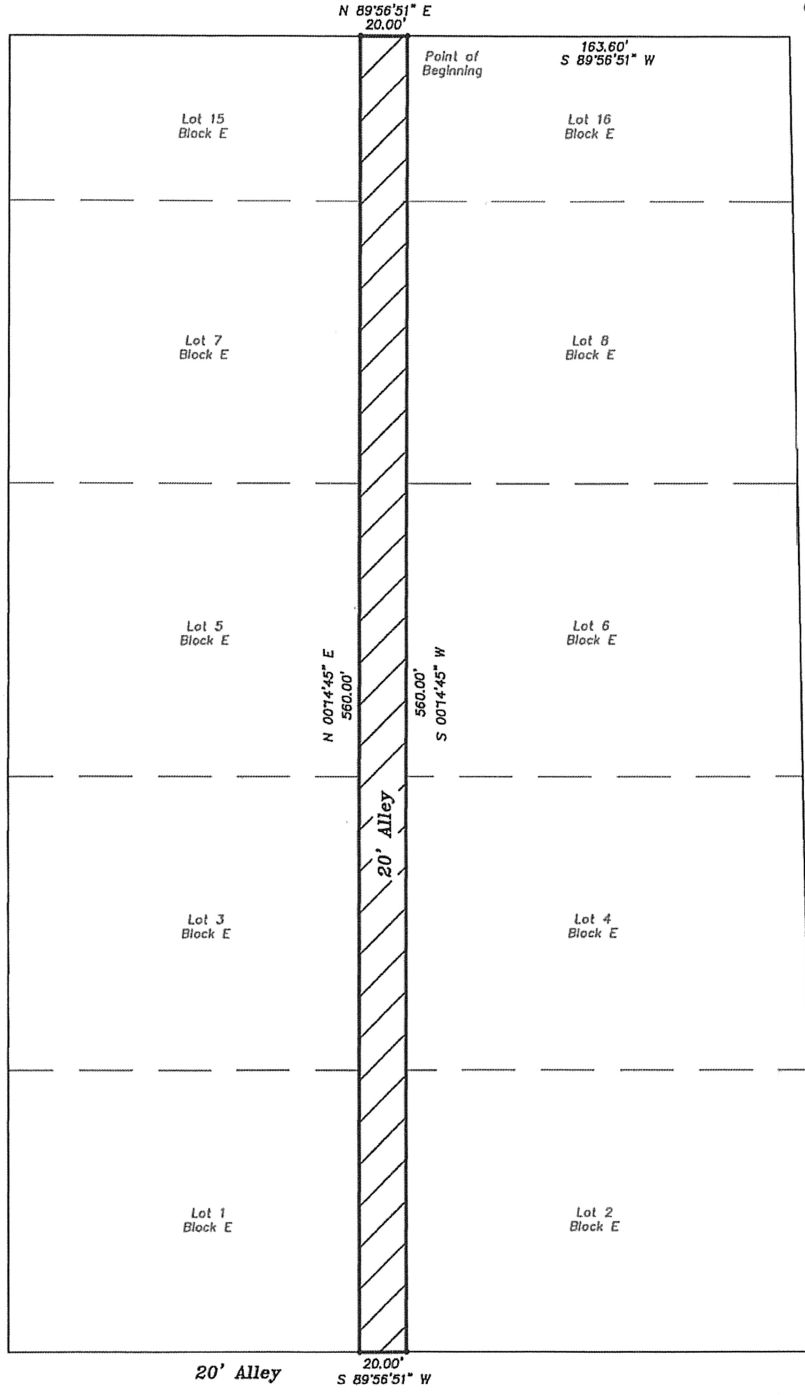
Attest: Sonja Tolbert
Sonja Tolbert, City Clerk

My commission expires: _____



Pineview Drive
(50' ROW)(Public Road)

Point of
Commencement



Marie Road
(60' ROW)(Public Road)

East Road
(60' ROW)(Public Road)

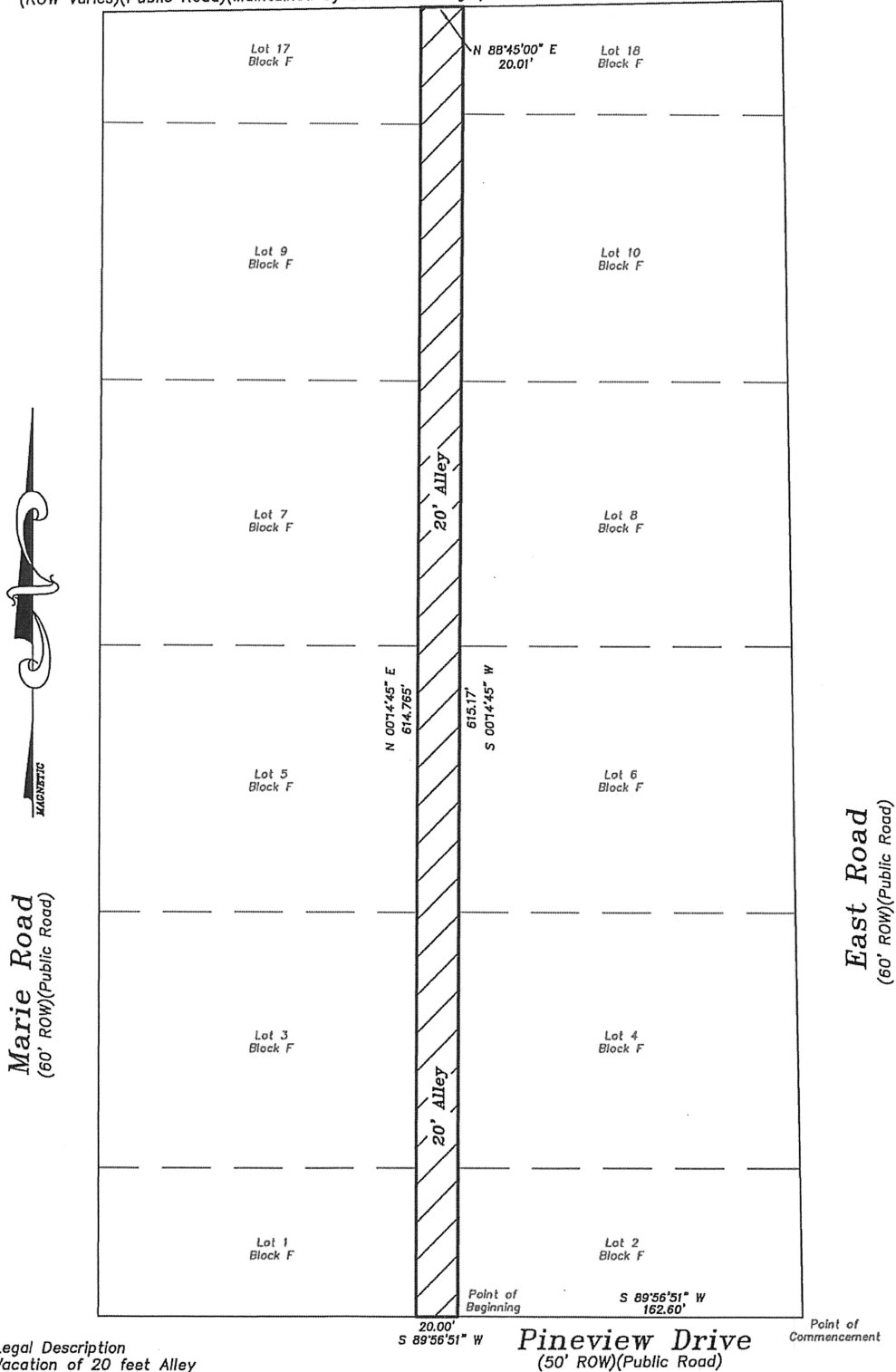
Legal Description
Vacation of 20 feet Alley

Beginning at the northeast corner of Lot 16, Block E according to the map of Revised Pineview Subdivision as recorded in the Office of the Clerk of the Superior Court of Dougherty County, Georgia in Plat Book 1, at Page 271, said point being at the intersection of the west right of way of East Road (60' row) and the south right of way of Pineview Drive (50' row); thence along the south right of way of said Pineview Drive, South 89°56'51" West, 163.60 feet to the POINT OF BEGINNING; thence South 00°14'45" West, 560.00 feet to the north right of way of a 20 feet alley; thence South 89°56'51" West, 20.00 feet; thence North 00°14'45" East, 560.00 feet to the south right of way of said Pineview Drive; thence along south right of way of said Pineview Drive, North 89°56'51" East, 20.00 feet to the point of beginning and containing 11,200 square feet, more or less.

Exhibit A

U.S. Highway 82 (Clark Avenue)

(ROW Varies)(Public Road)(Maintained by State of Georgia)



Legal Description
Vacation of 20 feet Alley

Pineview Drive
(50' ROW)(Public Road)

Point of
Commencement

Beginning at the southeast corner of Lot 2, Block F according to the map of Revised Pineview Subdivision as recorded in the Office of the Clerk of the Superior Court of Dougherty County, Georgia in Plat Book 1, at Page 271, said point being at the intersection of the west right of way of East Road (60' row) and the north right of way of Pineview Drive (50' row); thence along the north right of way of said Pineview Drive, South 89°56'51" West, 162.60 feet to the POINT OF BEGINNING; thence continue along the north right of way of said Pineview Drive, South 89°56'51" West, 20.00 feet; thence North 00°14'45" East, 614.75 feet to the south right of way of Clark Avenue (US Highway 82 (rw varies)); thence along the south right of way of said Clark Avenue, North 88°45'00" East, 20.01 feet; thence South 00°14'45" West, 615.17 feet to the point of beginning and containing 12,299 square feet, more or less.

Exhibit B