

AN ORDINANCE
ENTITLED

19-119

**AN ORDINANCE CLOSING A PORTION OF E. SECOND AVENUE
AND ALLEYS ON THE EAST AND WEST SIDE OF SECOND
AVENUE RE RADIUM SPRINGS ROAD DEVELOPMENT, MORE
PARTICULARLY DESCRIBED HEREIN WITH CERTAIN
RESERVATIONS, AUTHORIZING THE EXECUTION OF QUIT
CLAIM DEEDS; REPEALING PRIOR ORDINANCES IN CONFLICT
AND FOR OTHER PURPOSES.**

WHEREAS, a portion of E. Second Avenue and the alleys on the east and west side of Second Avenue, hereinafter more particularly described, are not presently being used sufficiently to justify their continuance as a public street and/or alley 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 a portion of E. Second Avenue and the alleys on the east and west side of Second Avenue, was held at the Regular Meeting of the Board of Commissioners of the City of Albany, Georgia, on the 24th day of September, 2019, after due notice of said Public Hearing was advertised once a week for four weeks in the Albany Herald and no objections were made at said Public Hearing or otherwise to the closing of a portion of E. Second Avenue and the alleys on the east and west side of Second Avenue;

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 that portion of E. Second Avenue and the alleys on the east and west side of Second Avenue, more particularly described as follows:

TRACT 1: Portion of Second Avenue to be closed.

All that certain tract or parcel of land situate lying and being part of Land Lot 268 of the First Land District, being in the City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the south right-of-way of E. Oglethorpe Boulevard (r/w varies) and the east right-of-way of Radium Springs Road (150' r/w) and go South 12 degrees 01 minute 10 seconds East along the east right-of-way of Radium Springs Road a distance of 540.51 feet to the south right-of-way of E. Highland Avenue (60' r/w); go thence South 81 degrees 51 minutes 10 seconds East along the south right-of-way of E. Highland Avenue a distance of 185.20 feet to the west right-of-way of Second Avenue (50' r/w) and the point of beginning. From this point go South 81 degrees 51 minutes 10 seconds East a distance of 50.01 feet to the intersection of the east right-of-way of Second Avenue and the south right-of-way of E. Highland Avenue; go thence South 07 degrees 04 minutes 08 seconds West along the east right-of-way of Second Avenue a distance of 315.06 feet to the intersection of the east right-of-way of Second Avenue and the north right-of-way of E. Whitney Avenue (60' r/w); go thence North 81 degrees 51 minutes 10 seconds West a distance of 50.01 feet to the intersection of the west right-of-way of Second Avenue and the north right-of-way of E. Whitney Avenue; go thence North 07 degrees 04 minutes 08 seconds East along the west side of Second Avenue a distance of 315.06 feet to the intersection of the south right-of-way of E. Highland Avenue and the west right-of-way of Second Avenue and the point of beginning.

Said tract or parcel contains 0.362 acres.

TRACT 2: 15' Alley on east side of Second Avenue to be closed.

All that certain tract or parcel of land situate lying and being part of Land Lot 268 of the First Land District, being in the City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the south right-of-way of E. Oglethorpe Boulevard (r/w varies) and the east right-of-way of Radium Springs Road (150' r/w) and go South 12 degrees 01 minute 10 seconds East along the east right-of-way of Radium Springs Road a distance of 540.51 feet to the south right-of-way of E. Highland Avenue (60' r/w); go thence South 81 degrees 51 minutes 10 seconds East along the south right-of-way of E. Highland Avenue a distance of 235.21 feet to the east right-of-way of Second Avenue (50' r/w); go thence South 07 degrees 04 minutes 08 seconds West along the east right-of-way of E. Highland Avenue a distance of 150.03 feet to the north side of a 15' alley and the point of beginning. From this point go South 81 degrees 51 minutes 10 seconds East along the north right-of-way of a 15' alley a distance of 250.04 feet; go thence South 07 degrees 04 minutes 08 seconds West along the east side of a 15' alley a distance of 15.00 feet; go thence North 81 degrees 51 minutes 10 seconds West along the south side of a 15' alley a distance of 250.04 feet to the east right-of-way of E. Second Avenue; go thence North 07 degrees 04 minutes 08 seconds East a distance of 15.00 feet to the east right-of-way of E. Second Avenue, the north side of a 15' alley, and the point of beginning.

Said tract or parcel contains 0.086 acres.

TRACT 3: Portion of 15' Alley on west side of Second Avenue to be closed.

All that certain tract or parcel of land situate lying and being part of Land Lot 268 of the First Land District, being in the City of Albany, Dougherty County, Georgia and being more particularly described as follows:

Commence at the intersection of the south right-of-way of E. Oglethorpe Boulevard (r/w varies) and the east right-of-way of Radium Springs Road (150' r/w) and go South 12 degrees 01 minute 10 seconds East along the east right-of-way of Radium Springs Road a distance of 540.51 feet to the south right-of-way of E. Highland Avenue (60' r/w); go thence South 81 degrees 51 minutes 10 seconds East along the south right-of-way of E. Highland Avenue a distance of 185.20 feet to the west right-of-way of Second Avenue (50' r/w); go thence South 07 degrees 04 minutes 08 seconds West along the west right-of-way of Second Avenue a distance of 150.03 feet to the north right-of-way of a 15' alley and to the point of beginning. From this point go South 07 degrees 04 minutes 08 seconds West a distance of 15.00 feet; go thence North 81 degrees 51 minutes 10 seconds West along the south right-of-way of a 15' alley a distance of 127.71 feet to the east right-of-way of Radium Springs Road; go thence North 12 degrees 01 minute 10 seconds West a distance of 15.98 feet to the north side of a 15' alley and the east right-of-way of Radium Spring Road; go thence South 81 degrees 51 minutes 10 seconds East along the north right-of-way of a 15' alley a distance of 132.94 feet to the west right-of-way of Second Avenue and the point of beginning.

Said tract or parcel contains 0.045 acres.

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 2. Upon application of the adjacent property owners and satisfactory proof of ownership, the Mayor, or in the absence of the Mayor, the Mayor Pro Tem and the City Clerk are authorized to execute Quit Claim Deeds in the name of and on behalf of the City of Albany, Georgia, and to affix the seal of the City thereto conveying to each of said adjoining property owners their half

of the portion of E. Second Avenue and the alleys on the east and west side of Second Avenue now closed to the centerline.

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

Stephanie Hubbard
MAYOR

ATTEST:

Sonja Ober
CITY CLERK

Adopted: *September 24, 2019*



Bob Langstaff, Jr
Introduced by:
Date(s) read: *September 24, 2019*