01-O-1830

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-01-82
DATE FILED: 10-15-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **1200 Foster Street, N.W. (Tract 1) and 866 Ernest Street, N.W. (Tract 2)** be changed from the **I-2 (Heavy Industrial) (Tract 1) and I-1 (Light Industrial) (Tract 2)** District to the **O-I (Office-Institutional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **150 & 189** of the **17th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

Exhibit "D"

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TRACT DESCRIPTION
TRACT ONE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 150 AND 189 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET (NO. 4 REBAR) LOCATED AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ERNEST STREET (HAVING A 40-FOOT WIDE RIGHT-OF-WAY) AND THE LAND LOT LINE COMMON TO LAND LOTS 150 AND 189, SAID IRON PIN SET BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED RUNNING ALONG THE LAND LOT LINE COMMON TO LAND LOTS 150 AND 189 AND THE PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO FLORA T. REDDING AND THE WESTERLY RIGHT-OF-WAY LINE OF SPRING ROAD (HAVING A 40-FOOT WIDE RIGHT-OF-WAY) SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST A DISTANCE OF 267.26 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID LAND LOT LINE AND PROPERTY LINE RUNNING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SPRING ROAD (HAVING A 40-FOOT WIDE RIGHT-OF-WAY WIDTH) NORTH 82 DEGREES 52 MINUTES 20 SECONDS EAST A DISTANCE OF 434.21 FEET TO AN IRON PIN FOUND (3/4" REBAR); THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SPRING ROAD RUNNING ALONG THE LOT LINE COMMON TO LOTS 54 AND 55 OF "SUNSET HEIGHTS SUBDIVISION" AND THE PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO THE BOARD OF EDUCATION CITY OF ATLANTA, SOUTH 07 DEGREES 04 MINUTES 08 SECONDS EAST A DISTANCE OF 98.37 FEET TO AN IRON PIN FOUND (3/4" REBAR); THENCE DEPARTING SAID LOT LINE OF LOTS 54 AND 55 CONTINUING ALONG SAID PROPERTY LINE OF THE BOARD OF EDUCATION AND THE RIGHT-OF-WAY OF WEST LANE (HAVING A 40-FOOT WIDE RIGHT-OF-WAY) AND THE PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO FORSYTH INVESTMENTS, L.P. NORTH 82 DEGREES 44 MINUTES 25 SECONDS EAST A DISTANCE OF 523.28 FEET TO AN IRON PIN SET (NO. 4 REBAR) ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FOSTER STREET (HAVING A 40-FOOT WIDE RIGHT-OF-WAY); THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF FOSTER STREET SOUTH 25 DEGREES 42 MINUTES 34 SECONDS WEST A DISTANCE OF 113.43 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID RIGHT-OF-WAY RUNNING THROUGH THE LANDS OF ROBERT HAYWOOD NORTH 89 DEGREES 34 MINUTES 49 SECONDS WEST A DISTANCE OF 112.25 FEET TO AN IRON PIN FOUND (NO. 4 REBAR); THENCE SOUTH 82 DEGREES 44 MINUTES 25 SECONDS WEST A DISTANCE OF 350.68 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE CONTINUING SOUTH 81 DEGREES 09 MINUTES 26 SECONDS WEST A DISTANCE OF 367.54 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE CONTINUING ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET SUBTENDED BY A CHORD BEARING OF SOUTH 49 DEGREES 37 MINUTES 29 SECONDS WEST, A CHORD DISTANCE OF 78.44 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 82.55 FEET TO AN IRON

PIN SET (NO. 4 REBAR); THENCE CONTINUING SOUTH 18 DEGREES 05 MINUTES 31 SECONDS WEST A DISTANCE OF 154.00 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE CONTINUING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET SUBTENDED BY A CHORD BEARING OF SOUTH 54 DEGREES 25 MINUTES 51 SECONDS WEST, A CHORD DISTANCE OF 88.88 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 95.13 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE CONTINUING NORTH 89 DEGREES 13 MINUTES 50 SECONDS WEST A DISTANCE OF 480.73 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID LAND RUNNING ALONG THE RIGHT-OF-WAY LINE OF NORFOLK SOUTHERN AND CSX RAILROAD ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.87 FEET SUBTENDED BY A CHORD BEARING OF NORTH 34 DEGREES 15 MINUTES 03 SECONDS WEST, A CHORD DISTANCE OF 128.88 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 129.19 FEET TO A POINT; THENCE CONTINUING ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 491.84 FEET SUBTENDED BY A CHORD BEARING OF NORTH 11 DEGREES 37 MINUTES 50 SECONDS WEST A CHORD DISTANCE OF 264.25 FEET ALONG SAID CURVE AN ARC DISTANCE OF 267.54 FEET TO A POINT; THENCE CONTINUING ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 531.76 FEET SUBTENDED BY A CHORD BEARING OF NORTH 17 DEGREES 29 MINUTES 44 SECONDS EAST, A CHORD DISTANCE OF 232.61 FEET ALONG SAID CURVE AN ARC DISTANCE OF 234.51 FEET TO A POINT; THENCE CONTINUING NORTH 28 DEGREES 27 MINUTES 39 SECONDS EAST A DISTANCE OF 124.96 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID RAILROAD RIGHT-OF-WAY RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF ERNEST STREET SOUTH 89 DEGREES 13 MINUTES 21 SECONDS EAST A DISTANCE OF 568.79 FEET TO AN IRON PIN SET AT THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 13.320 ACRES (BEING 580,249 SQUARE FEET) INCLUDING ALL EASEMENTS.

TP/lm

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TRACT DESCRIPTION
TRACT TWO

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 150 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT LOCATED AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WEST LANE (HAVING A 40-FOOT RIGHT-OF-WAY) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF ERNEST STREET (HAVING AN APPARENT 20-FOOT RIGHT-OF-WAY AT THIS POINT); THENCE RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF ERNEST STREET SOUTH 89 DEGREES 13 MINUTES 21 SECONDS EAST A DISTANCE OF 463.00 FEET TO AN IRON PIN SET (NO. 4 REBAR), SAID IRON PIN SET BEING THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND DEPARTING SAID RIGHT-OF-WAY LINE RUNNING ALONG THE PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO TILMON WOODEN AND J.D. NANCE AND ALSO KNOWN AS THE PROPERTY LINE BETWEEN LOTS 25 AND 26 AND LOTS 44 AND 43 OF SUNSET HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 11, PAGE 198 ON FILE IN FULTON COUNTY, GEORGIA, SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST A DISTANCE OF 178.28 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SPRING ROAD (HAVING A 40-FOOT RIGHT-OF-WAY) SOUTH 82 DEGREES 52 MINUTES 20 SECONDS WEST A DISTANCE OF 60.51 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUNNING ALONG THE PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO HARRY L. JOHNSON AND EVA B. JOHNSON ALSO RUNNING ALONG THE LINE DIVIDING LOT 42 IN HALF AND THE PROPERTY LINE OF LOTS 26 AND 28 OF SAID SUNSET HEIGHTS SUBDIVISION NORTH 00 DEGREES 18 MINUTES 57 SECONDS EAST A DISTANCE OF 186.60 FEET TO AN IRON PIN SET (NO. 4 REBAR); THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF ERNEST STREET SOUTH 89 DEGREES 13 MINUTES 21 SECONDS EAST A DISTANCE OF 60.00 FEET TO AN IRON PIN SET AT THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.251 ACRE (BEING 10,946 SQUARE FEET) INCLUDING ALL EASEMENTS.

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