

1 A RESOLUTION APPROVING THE CONVEYANCE OF ANY REAL
2 PROPERTY INTERESTS FULTON COUNTY MAY HAVE IN CAMPBELL
3 DRIVE BY WAY OF QUIT CLAIM DEED TO THE CITY OF EAST POINT,
4 GEORGIA FOR THE PURPOSE OF REMOVING A CLOUD ON TITLE
5 ENCUMBERING THE REAL PROPERTY; AUTHORIZING THE CHAIRMAN TO
6 EXECUTE A QUIT CLAIM DEED AND ANY RELATED DOCUMENTS; AND
7 FOR OTHER PURPOSES
8

9 WHEREAS, the City of East Point has requested that Fulton County
10 Board of Commissioners execute a quit claim deed to remove a potential cloud
11 on title in the former Campbell Drive right of way, located in Land Lot 13 of the
12 13th District of East Point, Georgia; and

13 WHEREAS, the City of East Point zoning application 2021RZ-001-02
14 includes a portion of the former Campbell Drive and in accordance with the
15 zoning procedures set forth in Part 10, Chapter 2, Article J of the East Point
16 Code of Ordinances governing such procedures for the amendments to the
17 official Zoning Map, zoning application 2021RZ-002-02 was approved by the
18 Mayor and City Council of the City of East Point; and

19 WHEREAS, the planned redevelopment of 4655 Campbell Drive, 4675
20 Campbell Drive, 0 Campbell Drive, Parcel ID #(s) #13 0033 LL0104, #13 0033
21 LL062, #13 0033 LL0187, #13 0033 LL0195, #13 0033 LL0088 consisting of
22 61.00 acres requires the abandonment of right of way for a portion of the former
23 Campbell Drive; and

24 WHEREAS, an independent title examination has indicated that Fulton
25 County may have a real property interest in the right-of-way for Campbell Drive;
26 and

27 **WHEREAS**, pursuant to O.C.G.A. § 36-36-7(c), if a municipality annexes
28 on both sides of a county road right-of-way, the municipality shall assume the
29 ownership, control, care and maintenance of that property unless the county and
30 municipality agree otherwise; and

31 **WHEREAS**, Fulton County land records and title examinations have not
32 located any agreement between Fulton County and the City of East Point
33 regarding Campbell Drive; and

34 **WHEREAS**, the Fulton County Land Division has conducted an
35 examination of the area and has determined that the County's execution of a quit
36 claim deed for the purpose of removing a cloud on title does not interfere with the
37 abutting owners access and the use of the remaining portion of Campbell Drive
38 presently maintained by the City of East Point; and

39 **WHEREAS**, the Fulton County Board of Commissioners deems it to be in
40 the best interests of the citizens of Fulton County to approve the execution of the
41 a quit claim deed in substantially the form attached hereto as Exhibit "A," for the
42 purpose of removing a cloud on title.

43 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of
44 Commissioners of Fulton County hereby approves the execution, delivery and
45 recordation of the attached Quit Claim Deed to the City of East Point, Georgia for
46 the purpose of removing a cloud on title, with such quit claim deed of
47 Conveyance being in substantially the same form as Exhibit "A," which is
48 attached hereto and incorporated by reference.

49 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of
50 Commissioners is hereby authorized to execute the Quit Claim Deed after
51 approval as to form by the County Attorney.

52 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective
53 upon its adoption, and that all resolutions and parts of resolutions in conflict with
54 this Resolution are hereby repealed to the extent of the conflict.

55 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton
56 County, Georgia, this 7th day of September, 2022.

57
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59
60 FULTON COUNTY BOARD OF COMMISSIONERS

61
62
63 By: 
64 Robert L. Pitts, Chairman
65

66
67
68 Attest: 
69 Tonya R. Grier, Clerk of Commission
70



75 APPROVED AS TO FORM

76 
77
78 Y. Soo Jo, County Attorney
79

PROPERTY DESCRIPTION
Campbell Drive Right of Way
"Abandonment"

Being all that tract or parcel of land lying and being in Land Lot 33, 13th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at a 1 ½ inch crimp top pipe found at the common corner of Land Lots 31, 32, 33 & 34 of the aforesaid District; thence, leaving said point and running with the West Line of said Land Lot 34 and the property now or formerly owned by Duke Realty Land LLC South 00° 24' 34" West, 285.19 feet to a point on the South Right of Way of North Commerce Drive (75' R/W); thence, thence, continuing along the South Right of Way line of North Commerce Drive North 89° 25' 14" West, 239.07 feet to a point; thence, 434.91 feet along the arc of a curve to the right, having a radius of 408.50 feet and a chord bearing and distance of North 58° 55' 14" West, 414.66 feet; thence, leaving aforesaid Right of Way South along the former Western Right of Way of Campbell Road (abandoned) and the property of Real Estate Perspectives III, LLC, South 00° 09' 04" East, 1,688.85 feet to a 1/2" rebar set at the Northwest corner of Campbell Road Right of Way and the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and continuing with the North Right of Way Line of Campbell Road and along the property of Real Estate Perspectives III, LLC the following five calls:

1. North 89° 35' 01" East, 61.33 feet; thence,
2. 179.57 feet along the arc of a curve to the right, having a radius of 58.00 feet and a chord bearing and distance of South 01° 37' 08" East, 115.97 feet; thence,
3. 22.86 feet along the arc of a curve to the left and having a radius of 15.00 feet and a chord bearing and distance of South 43° 30' 53" West, 20.71 feet; thence,
4. South 00° 09' 05" East, 13.13 feet; thence,
5. South 00° 09' 09" East, 793.35 feet; thence,
6. North 89° 28' 09" West, 50.29 feet to a point on the Western Right of Way of Campbell Road; thence, North along aforesaid Right of Way and the property of Real Estate Perspectives III, LLC, the following two calls:
7. North 00° 07' 59" West, 846.52 feet; thence,
8. North 00° 09' 10" West, 89.99 feet to the Point of Beginning, containing 53,630 square feet or 1.2312 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

After recording, please return to:
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, Georgia 30326
Attn: Mark A. Block, Esq.

Tax Parcel ID:

QUITCLAIM DEED

THIS INDENTURE, made and entered into as of the _____ day of _____ 2022, by and between **FULTON COUNTY**, a political subdivision of the State of Georgia (hereinafter referred to as "Grantor"), and the **CITY OF EAST POINT** (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" shall include their respective heirs, legal representatives, successors and assigns where the context requires or permits).

W I T N E S S E T H T H A T:

GRANTOR, for and in consideration of the sum of One and No/100ths Dollars (\$1.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has remised, conveyed and quitclaimed, and by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee all of its right, title and interest in and to that certain property located in Fulton County, Georgia, as more particularly described in Exhibit "A" attached hereto and by reference made a part hereof (hereinafter referred to as the "Property").

TO HAVE AND TO HOLD the said described Property to the said Grantee, so that neither the said Grantor nor any person or persons claiming under the said Grantor shall at any time, by any means or ways, have, claim or demand any right or title to the said described Property or appurtenances, or any rights thereof.

THIS DEED IS AN INSTRUMENT TO CLEAR TITLE ONLY; ACCORDINGLY, NO TRANSFER TAXES ARE DUE HEREON.

IN WITNESS WHEREOF, Grantor has executed and sealed this Quitclaim Deed on the day and year first above written.

Signed, sealed and delivered this 17th day
of October, 2022
in the presence of:

FULTON COUNTY, a political subdivision of
the State of Georgia

Witness



By:

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Attest:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM

Y. Soo Jo, County Attorney



EXHIBIT "A"

Legal Description

PARCEL 1:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 33 OF THE 13TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING GENERALLY KNOWN AS CAMPBELL DRIVE, BEGINNING AT ROOSEVELT HIGHWAY AND RUNNING IN A NORTHERLY DIRECTION A DISTANCE OF 2150 FEET.

PARCEL 2:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 33 OF THE 13TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING GENERALLY KNOWN AS CAMPBELL DRIVE, BEGINNING AT THE END OF PAVEMENT AND RUNNING ONE (1) MILE NORTH TO A DEAD END.

PARCELS 1 & 2 ABOVE BEING ALL, OR A PORTION, OF THE FOLLOWING:

CAMPBELL DRIVE RIGHT OF WAY "ABANDONMENT"

BEING ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 33, 13TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1 1/2 INCH CRIMP TOP PIPE FOUND AT THE COMMON CORNER OF LAND LOTS 31, 32, 33 & 34 OF THE AFORESAID DISTRICT; THENCE, LEAVING SAID POINT AND RUNNING WITH THE WEST LINE OF SAID LAND LOT 34 AND THE PROPERTY NOW OR FORMERLY OWNED BY DUKE REALTY LAND LLC SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, 285.19 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF NORTH COMMERCE DRIVE (75 FOOT R/W); THENCE, CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF NORTH COMMERCE DRIVE NORTH 89 DEGREES 25 MINUTES 14 SECONDS WEST, 239.07 FEET TO A POINT; THENCE, 434.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 408.50 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 58 DEGREES 55 MINUTES 14 SECONDS WEST, 414.66 FEET THENCE, LEAVING AFORESAID RIGHT OF WAY SOUTH ALONG THE FORMER WESTERN RIGHT OF WAY OF CAMPBELL ROAD (ABANDONED) AND THE PROPERTY OF REAL ESTATE PERSPECTIVES III, LLC, SOUTH 00 DEGREES 00 MINUTES 04 SECONDS EAST, 1,688.25 FEET TO A 1/2 INCH REBAR SET AT THE NORTHWEST CORNER OF CAMPBELL ROAD RIGHT OF WAY AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OR PARCEL OF LAND; THENCE, LEAVING THE SAID POINT OF BEGINNING AND CONTINUING WITH THE NORTH RIGHT OF WAY LINE OF CAMPBELL ROAD AND ALONG THE PROPERTY OF REAL ESTATE PERSPECTIVES III, LLC THE FOLLOWING FIVE CALLS:

1. NORTH 89 DEGREES 35 MINUTES 01 SECONDS EAST, 61.33 FEET; THENCE,
2. 179.57 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 58.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 01 DEGREE 37 MINUTES 08 SECONDS EAST, 115.97 FEET; THENCE,
3. 22.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT AND HAVING A RADIUS OF 15.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 43 DEGREES 30 MINUTES 53 SECONDS WEST, 20.71 FEET; THENCE,

4. SOUTH 00 DEGREES 09 MINUTES 05 SECONDS EAST, 13.13 FEET; THENCE,
5. SOUTH 00 DEGREES 09 MINUTES 09 SECONDS EAST, 793.35 FEET; THENCE,
6. NORTH 89 DEGREES 28 MINUTES 09 SECONDS WEST, 50.29 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF CAMPBELL ROAD; THENCE, NORTH ALONG AFORESAID RIGHT OF WAY AND THE PROPERTY OF REAL ESTATE PERSPECTIVES III, LLC, THE FOLLOWING TWO CALLS:
7. NORTH 00 DEGREES 07 MINUTES 59 SECONDS WEST, 846.52 FEET; THENCE,
8. NORTH 00 DEGREES 09 MINUTES 10 SECONDS WEST, 89.99 FEET TO THE POINT OF BEGINNING, CONTAINING 53,630 SQUARE FEET OR 1.2312 ACRES OF LAND, MORE OR LESS.

REFERENCE MATERIAL

1. BOUNDARY SURVEY FOR LAUREL RIDGE LAND GROUP
PREPARED BY C C LAND SURVEYORS
DATED MARCH 3, 2006
2. ALTA/ACSM LAND TITLE SURVEY FOR REDSTONE LAND INTERESTS NO.1, LLC, REAL ESTATE PERSPECTIVES, III, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.1, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.2, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.3, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.4, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.5, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.6, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.7, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.8, LLC, REDSTONE LAND INTERESTS NO.1, TIC NO.9, LLC & CHICAGO TITLE INSURANCE COMPANY
PREPARED BY TERRAMARK LAND SURVEYING, INC.
DATED JANUARY 24, 2007

THIS BLOCK RESERVED FOR
THE CLERK OF SUPERIOR COURT



LOCATION MAP
NOT TO SCALE

SURVEY NOTES

1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED, ARE WITHIN THE POSITIONAL TOLERANCES ALLOWED FOR ALTA/NSPS LAND TITLE SURVEYS PER THE 2016 MINIMUM TECHNICAL STANDARDS ESTABLISHED BY ALTA AND NSPS AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
2. EQUIPMENT USED:
A TRIMBLE "S" SERIES TOTAL STATION WAS USED TO OBTAIN ANGULAR MEASUREMENTS AND DISTANCE MEASUREMENTS.

A TRIMBLE R-10 DUAL FREQUENCY GPS UNIT WAS USED FOR ESTABLISHING CONTROL. A NETWORK ADJUSTED RTK SURVEY WAS PERFORMED AND ADJUSTED BY RELATIVE POSITIONAL ACCURACY.
3. THE PROPOSED R/W DEDICATION HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 182,474 FEET.
4. ACCORDING TO THE "FIRM" (FLOOD INSURANCE RATE MAP) OF FULTON COUNTY, GEORGIA (PANEL NUMBER 13121C0363F, DATED SEPTEMBER 18, 2013; NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.
5. THE BEARINGS SHOWN ON THIS SURVEY ARE COMPUTED ANGLES BASED ON A GRID BEARING BASE (GA WEST ZONE) NAD83.
6. ALL HORIZONTAL DISTANCES SHOWN ARE GROUND DISTANCES. MEASURING UNITS OF THIS SURVEY ARE IN U.S. SURVEY FEET.
7. FIELD WORK FOR THIS PROPERTY WAS COMPLETED ON OCTOBER 14, 2020.

SURVEYOR'S CERTIFICATE

THE PROPERTY HEREON LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



John C. Blount

JOHN C. BLOUNT, RLS
REGISTERED NUMBER: 2887

53,630 SQ. FT./ 1.2312 AC. R/W ACQUISITION

LOCATED IN LAND LOT 33
13TH DISTRICT
CITY OF EAST POINT
FULTON COUNTY, GA

DATE: 01-21-21 SHEET NO. 1 OF 2

RIGHT-OF-WAY ABANDONMENT PLAT
AS REQUIRED BY:

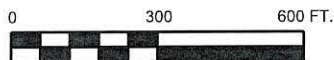
CITY OF EAST POINT

THROUGH THE PROPERTY OF:
REAL ESTATE
PERSPECTIVES III, LLC
FULTON COUNTY


TerraMark
Professional Land Surveying

TerraMark Land Surveying, Inc.
1396 Bells Ferry Road
Marietta, Georgia 30066
www.TerraMark.com
(P) (770) 421-1927

THIS BLOCK RESERVED FOR THE
CLERK OF SUPERIOR COURT

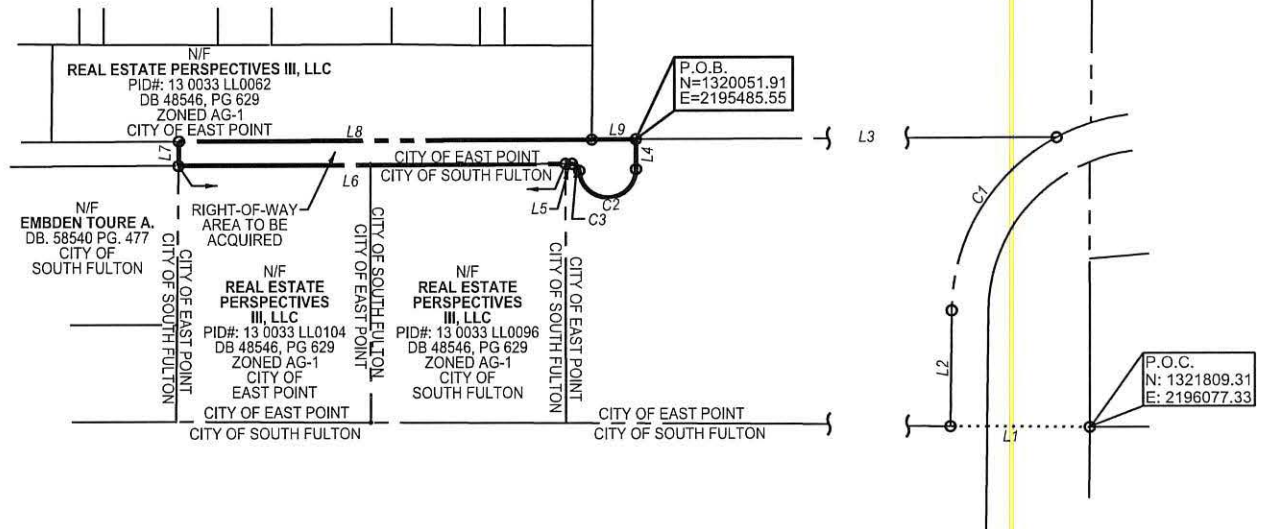


SCALE: 1"= 300'

PROJECT: LAT/LONG - 33°37'38.78"N 84°29'55.30"W

CALL TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 00°25'07" W	285.19'	L6	S 00°09'09" E	793.35'
L2	N 89°25'14" W	239.07'	L7	N 89°28'09" W	50.29'
L3	S 00°09'04" E	1,688.85'	L8	N 00°07'59" W	846.52'
L4	N 89°35'01" E	61.33'	L9	N 00°09'10" W	89.99'
L5	S 00°09'06" E	13.13'			
CURVE	ARC	RADIUS	BEARING	CHORD	
C1	434.91'	408.50'	N 58°55'14" W	414.66'	
C2	179.57'	58.00'	S 01°37'08" E	115.97'	
C3	22.86'	15.00'	S 43°30'53" W	20.71'	



53,630 SQ. FT./ 1.2312 AC. R/W ACQUISITION

LOCATED IN LAND LOT 33
13TH DISTRICT
CITY OF EAST POINT
FULTON COUNTY, GA

DATE: 01-21-21 SHEET NO. 2 OF 2

RIGHT-OF-WAY ABANDONMENT PLAT
AS REQUIRED BY:

CITY OF EAST POINT

THROUGH THE PROPERTY OF:
REAL ESTATE
PERSPECTIVES III, LLC
FULTON COUNTY



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