

STATE OF GEORGIA

Resolution No. 2012-09-47

FULTON COUNTY

September 12, 2012

**RESOLUTION TO ABANDON PORTION OF ELIZABETH LANE**

**WHEREAS**, the provisions of O.C.G.A. § 32-7-1 authorize a municipality, whenever it is deemed in the public interest, to abandon any public road that is under its jurisdiction; and

**WHEREAS**, O.C.G.A. § 32-7-4 sets forth the procedure for disposition of such property; and

**WHEREAS**, William S. Logan and Kathryn V. Logan have requested that the City of Roswell abandon a portion of Elizabeth Lane abutting property owned by the Logans on either side of Elizabeth Lane and a further portion of Elizabeth Lane abutted by property owned by Ernest F. Hansberger and Victoria F. Hansberger, all as shown on that plat of survey and legal descriptions collectively attached to this resolution Exhibit "A;" and

**WHEREAS**, Ernest F. Hansberger and Victoria F. Hansberger have stated that they consent to the abandonment and do not wish to take any property from the abandonment, but, in fact, wish for William S. Logan and Kathryn V. Logan to take possession of all of the public road to be abandoned; and

**WHEREAS**, William S. Logan and Kathryn V. Logan desire to construct a shop on their property and need the area of the proposed road abandonment to satisfy requirements for septic service; and

**WHEREAS**, there no longer is a public purpose in maintaining the portion of Elizabeth Lane proposed for abandonment;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Roswell that the City of Roswell abandon any interest in and to the road/right of way described in the attached Exhibit "A" and that the Mayor is authorized to execute a quitclaim deed in favor of William S. Logan and Kathryn V. Logan or said owners' successors in title.

Approved by the Mayor and City Council this 12<sup>th</sup> day of September, 2012.

Attest:

Marlee Press  
Marlee Press, City Clerk  
(Seal)

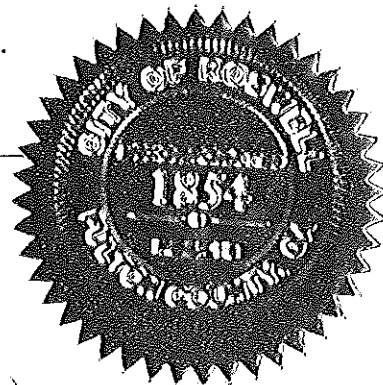
Jerry Orleans  
Councilmember Jerry Orleans  
Betty Price  
Councilmember Betty Price

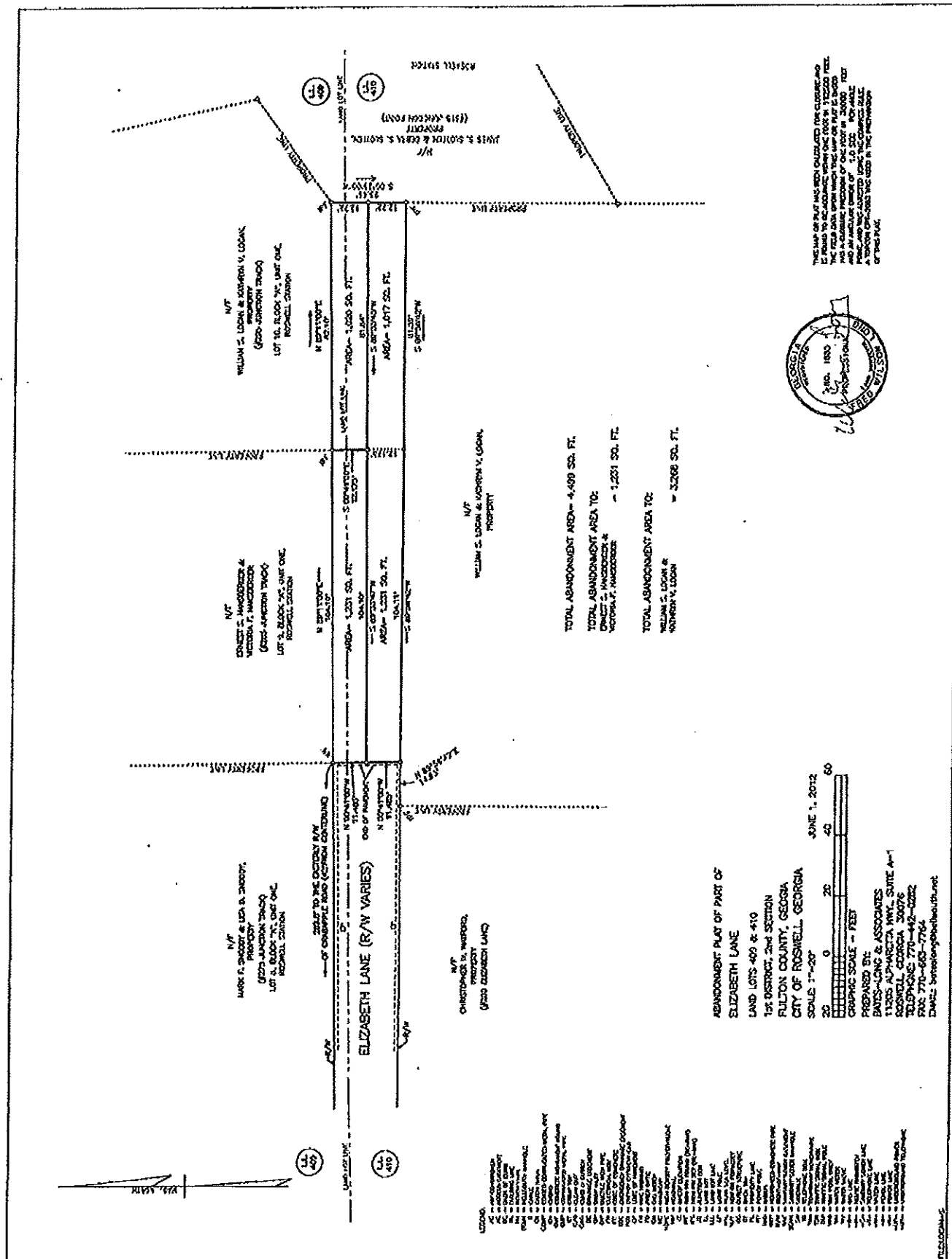
Kent Igleheart  
Councilmember Kent Igleheart

Jere Wood  
Jere Wood, Mayor

Rebecca Wynn  
Councilmember Rebecca Wynn  
Richard Dippolito  
Councilmember Richard Dippolito

Nancy Diamond  
Councilmember Nancy Diamond





LEGAL DESCRIPTION

Elizabeth Lane Abandonment to  
Ernest S. Hansberger & Victoria F. Hansberger

All that tract or parcel of land lying and being in Land Lots 409 and 410 of the 1<sup>st</sup> District, 2<sup>nd</sup> Section, Fulton County, Georgia, City of Roswell and being more particularly described as follows:

BEGINNING at an iron pin found on the Northerly right-of-way line of Elizabeth Lane 289.5 feet Easterly from the Easterly right-of-way line of Crabapple Road (said Easterly right-of-way line being located 42.0 feet from centerline of Crabapple Road); thence, North 89°11'00" East, along said Northerly right-of-way line of Elizabeth Lane, a distance of 104.10 feet to an iron pin found; thence, South 00°41'00" East a distance of 12.175 feet to a point; thence South 89°33'47" West a distance of 104.10 feet to a point; thence, North 00°41'00" West a distance of 11.485 feet to an iron pin found and the Point of Beginning.

SAID tract containing 1,231 sq. ft. in area as shown on abandonment plat of part of Elizabeth Lane dated June 1, 2012 as prepared by Bates-Long & Associates.

LEGAL DESCRIPTION

Elizabeth Lane Abandonment to  
William S. Logan and Kathryn V. Logan

All that tract or parcel of land lying and being in Land Lots 409 and 410 of the 1<sup>st</sup> District, 2<sup>nd</sup> Section, Fulton County, Georgia, City of Roswell and being more particularly described as follows:

BEGINNING at an iron pin found on the Northerly right-of-way line of Elizabeth Lane 393.9 feet Easterly from the Easterly right-of-way line of Crabapple Road (said Easterly right-of-way line being located 42.0 feet from centerline of Crabapple Road); thence, North 89°11'00" East, along said Northerly right-of-way line of Elizabeth Lane, a distance of 82.10 feet to an iron pin found; thence, South 00°29'00" West a distance of 25.44 feet to an iron pin found on the Southerly right-of-way line of Elizabeth Lane (r/w varies); thence South 89°56'42" West along said Southerly right-of-way line of Elizabeth Lane a distance of 81.59 feet to a point; thence, continuing along said Southerly right-of-way line of Elizabeth Lane (r/w varies), South 89°56'42" West a distance of 104.11 feet to a point; thence, North 00°41'00" West a distance of 11.485 feet to a point; thence, North 89°33'47" East a distance of 104.10 feet to a point; thence, North 00°41'00" West a distance of 12.175 feet to an iron pin found and the Point of Beginning.

SAID tract containing 3,268 sq. ft. in area as shown on abandonment plat of part of Elizabeth Lane dated June 1, 2012 as prepared by Bates-Long & Associates.