

Action Requested/Required:		
Vote/Action Requested ✓ Discussion or Presentation Only Public Hearing Report Date: 6/21/24 Hearing Date: Voting Date:		

Department: Community Devel	opment Presenter(s)	& Title: Steve Green, Zoning Administrator
Agenda Item Title:		
Request for right-of-way and alley	/way abandonment - Teasley Stree	t/Short Tanyard Street - Ms. Joyce M. Nations
Summary:		
If the request is granted she has a	asked for the 20' alleyway, which ru	lleyways and a portion of Teasley Street/Short Tanyard Street. uns through the middle of her property, half of the 10' alleyway Street/Short Tanyard Street to be deeded over to her.
The abutting property owners hav	ve been notified via certified mail.	
Budget Implications:		
Budgeted? Yes No Total Cost of Project: Fund Source: General Fund	Check if E	stimated Tax Other:
Staff Recommendations:		
Reviews: Has this been reviewed by Ma	anagement and Legal Counsel, if	f required? □Yes □No
Attachments:	-	
Letter of abandonment requ	uest, copy of plat W.A Teasley	y Estate, current survey, legal descriptions and quit

CHEROKEE EYE GROUP A MEMBER OF VISION SOURCE

JOYCE M. NATIONS O.D., M.P.H, • LEIGHANN M. KURTH O.D.

Mr. Billy Peppers City Manager City of Canton 110 Academy St. Canton, GA 30114

Re:

Abandonment of alleys and Teasley St.

Dear Mr. Peppers:

I am the owner of 591 E. Main Street, Canton, GA 30114 (Cherokee Eye Group), identified as Tax Parcel 91N21 123.

On the western boundary of my property there is a 10-foot alley that is no longer used for access by anyone. In the middle of my property is a 20-foot alley that is no longer used, and I own the property on both sides. At the rear of my property, there is a 40-foot right of way known as either Teasley Street or Short Tanyard St. This right of way is no longer used by the public, and, in fact, has structures on it.

I am requesting that the City abandon the 10-foot alley, the 20-foot alley and the 40-foot right of way of Teasley St./Short Tanyard St. All of these are shown on the attached plat prepared by Gunnin Survey. I have also had prepared a quitclaim deed conveying to me half of the 10-foot alley, all of the 20-foot alley, and half of Teasley Street/Short Tanyard St. I also request that the City Council approve the conveyance of the property to me after abandonment.

I understand that adjoining property owners will be notified. To my knowledge, the other property owners to be notified are:

GP's Big Brother's Holding Company, LLC 577 E. Main St. Canton, GA 30114

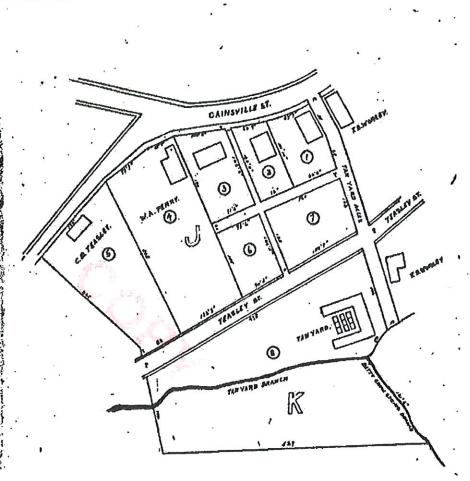
Preferred Property Improvements, LLC 828 Valley Drive Canton, GA 30114

For your consideration, I have enclosed the original subdivision plat creating the alleys and showing Teasely St., the Gunnin survey and the Quitclaim Deed. Please let me know if there is anything else you need from me.

Sincerely,

Joyce M. Nations

Joy in Ation, 00



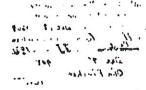
N E

PLAT + PROPERTY

WAITEASLEY ESTATE

BURVIYED GAT 1906.

BLOCK J NO. 1-2-3-5-67.



Files & Entered Dec. 18" 1909 Clin Firefier Broke

RETURN TO: Dyer & Rusbridge, P.C. 291 E. Main Street Canton, Georgia 30114

QUITCLAIM DEED

STATE OF GEORGIA COUNTY OF CHEROKEE

THIS INDENTURE, made as of this _____ day of ______, 20204 between CITY OF CANTON, as party or party of the first part, hereinafter called Grantor, and JOYCE M. NATIONS, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits, and to include the neuter, masculine, and feminine genders, the singular and plural).

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee:

All that tract or parcel of land lying and being in Land Lot 195 of the 14th District, 2nd Section of Cherokee County, Georgia, and being Tract 1, a portion of a 10' alley, as described on Exhibit "A" attached hereto; Tract 2, all of a 20' alley, as described on Exhibit "A-1" attached hereto; and Tract 3, a portion of a 40' right of way known as Teasley St./Short Tanyard St., as described on Exhibit "A-2" attached hereto. All of the tracts being depicted on Abandonment Plat for City of Canton prepared by Gunnin Land Surveying, LLC dated December 13, 2023 and attached hereto as Exhibit "B".

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

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

Witness By: Bill Grant, Mayor

Notary Public

Exhibit "A"

Written Description: 591 East Main Alley Abandonment (Tract 1)

All that tract or parcel of land lying and being in Land Lot 195 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1/2" rebar set at the intersection of the westerly right of way of Tanyard Street (f.k.a. Tanyard Alley) (18' right of way) and the southerly right of way of East Main Street (variable right of way); thence leaving said intersection and in a westerly direction along said southerly right of way the following courses and distances:

86.41 feet along the arc of a curve to the right, said curve having a radius of 218.45 feet and being subtended by a chord of S68°13'38"W, 85.84 feet to a point;

S79°33'32"W for a distance of 9.80 feet to a point;

67.89 feet along the arc of a curve to the right, said curve having a radius of 421.74 feet and being subtended by a chord of S84°10'13"W, 67.81 feet to a point;

 $$20^{\circ}30'15$ "E for a distance of 2.07 feet to a 1/2" rebar found at the easterly line of a 10' alley, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said southerly right of way and along the easterly line of said 10' alley S20°30'15"E for a distance of 281.34 feet to a point at the northerly right of way of Teasley Street (40' right of way); thence in a westerly direction along said northerly right of way S63°53'27"W for a distance of 5.02 feet to a point at the center of said 10' alley; thence leaving said northerly right of way and along the center of said 10' alley N20°30'15"W for a distance of 283.92 feet to a point at the southerly right of way of East Main Street (variable right of way); thence in an easterly direction along said southerly right of way S87°51'42"E for a distance of 5.42 feet to a 1/2" rebar found at the easterly line of a 10' alley, said point being the **TRUE POINT OF BEGINNING.**

Said tract or parcel of land contains 0.032 acres and is more fully shown as Tract 1 on that Abandonment Plat for City of Canton prepared by Gunnin Land Surveying, LLC, dated December 13, 2023.

Exhibit "A-1"

Written Description: 591 East Main Alley Abandonment (Tract 2)

All that tract or parcel of land lying and being in Land Lot 195 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1/2" rebar set at the intersection of the westerly right of way of Tanyard Street (f.k.a. Tanyard Alley) (18' right of way) and the southerly right of way of East Main Street (variable right of way); thence leaving said intersection and in a southerly direction along said westerly right of way the following courses and distances:

S33°08'32"E for a distance of 26.72 feet to a point;

S22°37'17"E for a distance of 19.67 feet to a point;

S18°24'06"E for a distance of 38.44 feet to a point;

S09°34'41"E for a distance of 27.27 feet to a point at the northerly line of a 20' alley, said point being the **TRUE POINT OF BEGINNING.**

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence continuing in a southerly direction along said westerly right of way S09°34'41"E for a distance of 20.38 feet to a point at the southerly line of a 20' alley; thence leaving said westerly right of way and along the southerly line of said 20' alley S69°20'26"W for a distance of 157.21 feet to a point at the easterly line of a 10' alley; thence traversing said 20' alley and along the easterly line of said 10' alley N20°30'15"W for a distance of 20.00 feet to a point at the northerly line of said 20' alley; thence leaving the easterly line of said 10' alley and along the northerly line of said 20' alley N69°20'26"E for a distance of 161.08 feet to a point at the westerly right of way of Tanyard Street (f.k.a. Tanyard Alley) (18' right of way), said point being the **TRUE POINT OF BEGINNING.**

Said tract or parcel of land contains 0.073 acres and is more fully shown as Tract 2 on that Abandonment Plat for City of Canton prepared by Gunnin Land Surveying, LLC, dated December 13, 2023.

Exhibit "A-Z"

Written Description: Teasley Street Right of Way Abandonment (Tract 3)

All that tract or parcel of land lying and being in Land Lot 195 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1/2" rebar set at the intersection of the westerly right of way of Tanyard Street (f.k.a. Tanyard Alley) (18' right of way) and the southerly right of way of East Main Street (variable right of way); thence leaving said intersection and in a southerly direction along said westerly right of way the following courses and distances: S33°08'32"E for a distance of 26.72 feet to a point; S22°37'17"E for a distance of 19.67 feet to a point;

S18°24'06"E for a distance of 38.44 feet to a point;

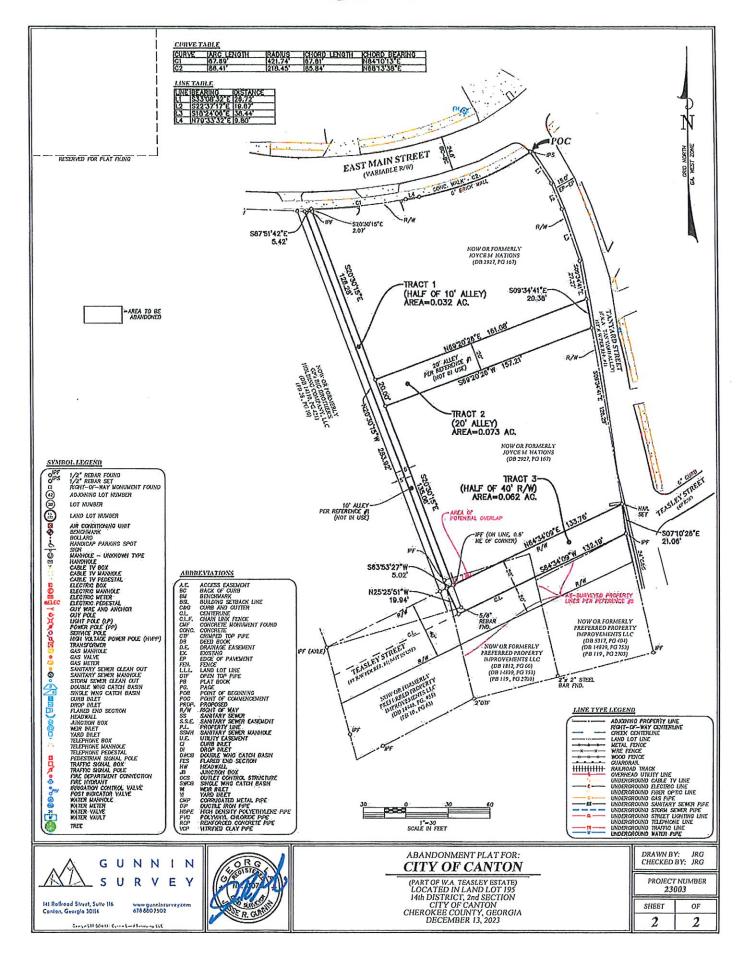
S09°34'41"E for a distance of 173.94 feet to a nail set at the northerly right of way of Teasley Street (40' right of way), said point being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said northerly right of way and continuing along said westerly right of way of Tanyard Street S07°10'26"E for a distance of 21.06 feet to a 1/2" rebar found; thence leaving said westerly right of way S64°34'09"W for a distance of 132.19 feet to a point; thence N25°25'51"W for a distance of 19.94 feet to a point at the intersection of the northerly right of way of Teasley Street (40' right of way) and the center of a 10' alley; thence in an easterly direction along said northerly right of way N63°53'27"E for a distance of 5.02 feet to a point at the easterly line of said 10' alley; thence leaving said alley and continuing along said northerly right of way N64°34'09"E for a distance of 133.76 feet to a nail set at the westerly right of way of Tanyard Street (f.k.a. Tanyard Alley) (18' right of way), said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land contains 0.062 acres and is more fully shown as Tract 3 on that Abandonment Plat for City of Canton prepared by Gunnin Land Surveying, LLC, dated December 13, 2023.

Exhibit "B"



THE PURPOSE OF THIS PLAT IS TO PROVIDE A METES AND BOUNDS REPRESENTATION OF A PORTION OF THE RIGHTS OF WAYS AND ALLEYS DEPICTED ON THE "PLAT OF PROPERTY BELONGING TO W.A. TEASLEY ESTATE" BY E. BILLINGS 1908, RECORDED IN DB JJ, PG. 193 AND DB MM, PG. 421, CHEROKEE COUNTY RECORDS.

INTERIOR IMPROVEMENTS AND UTILITIES NOT SHOWN.

SURVEY REFERENCE: BOUNDARY SURVEY FOR DR. JOYCE M. NATIONS BY GUNNIN LAND SURVEYING, LLC DATED MARCH 6, 2023.

RESERVED FOR PLAT FIUNG

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN ANGALAR ERROR OF 3 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 71,261. IT HAS BEEN ADJUSTED USING THE COMPASS RULE METHICO.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF:

GENERAL NOTES

EQUIPMENT USED TO OBTAIN THESE WEASUREMENTS WAS A TRIMBLE SS ROBOTIC TOTAL STATION.

BEARINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE ORIO BASELINE.

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DATE OF FIELD WORKS 03.06.23

ALL IRON PINS SET ARE 1/2" REBARS CAPPED WITH "OURIGH LIST 1033" UNLESS OTHERWISE HOTED.

ALL WATTERS OF TITLE EXCEPTED.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, THERE WAY DE EASEMENTS OR OTHER ENCUMERANCES THAT ARE NOT SHOWN.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR REUNICE BY ANY PARRIES OR ENTITIES NOT SPECIALILY USED IN THE THE UNMINIORIZED HEREO PARRIES SHALL INDEMNEY AND HOLD CURNIN LAYD SURVEYING LLC HARMLESS AGAINST ANY AND ALL USELITY FOR ANY LOSS ASSING OUT OF OR RELATED TO, STELLINGE BY ANY THRO PARTY ON ANY WORD PROPOSHED THEREUNICE, OR THE CONTENTS OF THE SURVEY.

- ADOMONAL REFERENCESS

 1. ORGANIL SUBDIVISION PLAT "FLAT OF PROPERTY BELONON'S

 TO WA. TEXASEY ESTATE" BY E. BILLINGS 1608, RECORDED IN

 DB JU, PAGE 193 AND DB IM, PAGE 421.
- "SURVEY FOR OWNER: ELLIWOOD PROPERTIES, LLC" BY BARTON SURVEYING, INC. DATED JANUARY 4, 2023.
- 3. "SURVEY FOR JOYCE M. NATIONS" BY CHEROKEE SURVEYING CO., INC. DATED JUNE 04, 2016.
- "SURVEY FOR JOHN W. HAWILTON & SARAH C. HAWILTON" BY MEST CEORGIA ENGINEERS & SURVEYORS, INC. DATED AUGUST 1, 1985, RECORDED IN PLAT BOOK 28, PAGE 10.
- 5. "BOUNDARY SURVEY PREPARED FOR PREFERRED PROPERTY IMPROVEMENTS" BY FOOTHCLIS LIND SURVEYING, LLO DATED SEPTEMBER 7, 2022, RECORDED IN PLAT BOOK 119, PAGE 2703.

SYMBOL LEGEND

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GUNNIN SURVEY 141 Ratiroad Street, Suite 116 Canton, Georgia 30114

Crayalis 60011 Caraled Strang LLC

www.gunninsurvey.com 678.860,7502



ABANDONMENT PLAT FOR: CITY OF CANTON

(PART OF W.A. TEASLEY ESTATE) LOCATED IN LAND LOT 195 14th DISTRICT, 2nd SECTION CITY OF CANTON CHEROKEE COUNTY, GEORGIA DECEMBER 13, 2023

DRAWN BY: JRG CHECKED BY: JRG

PROJECT NUMBER

SHEET OF 2