

COUNCIL AGENDA REPORT

FROM: Community Development Department
Prepared by: Ken Patton

CC: City Clerk
Public Information

SUBJECT: Abandonment of a portion of Laurel Canyon Parkway

DATE: February 23, 2015

RECOMMENDATION

REPORT-IN-BRIEF

The developers of the Soleil portion of Laurel Canyon have acquired a number of new lots within the Laurel Canyon development. These lots are located in Pods 6,7,8 and 9, all of which are in front of the gate/guard house that allows access to the Soleil portion. The developer has sought permission to relocate the gate/guard house from its current location to a point that would allow for the newly purchased lots to be behind the gate/guard house. In order to locate the gate/guard house to the new location a portion of Laurel Canyon Parkway must be abandoned as the public would no longer have general access to that portion of the street. The attached resolution addresses this request. Also with the resolution attached is the legal description and survey of the roadway portion that is to be abandoned.

DISCUSSION

CONCURRENCES

FISCAL IMPACT

ALTERNATIVES

Attachments

City of Canton, Georgia
Cherokee County, Georgia
Resolution #2015-001

City of Canton, Georgia

Resolution #2015-001

**A RESOLUTION REQUESTING THE ABANDONMENT OF A
PORTION OF LAUREL CANYON PARKWAY, A CITY ROAD**

WHEREAS, the City Council of Canton, Georgia, have reviewed a request to abandon a portion of Laurel Canyon Parkway, a city road, described as follows:

A portion of a road of the City of Canton, Laurel Canyon Parkway, situated in Land Lots 118 and 119 of the 14th District, 2nd Section of Cherokee County, Georgia as described on Exhibits A (Legal description) and B (survey).

WHEREAS, Section 32-7-2 of the Official Code of Georgia Annotated authorizes a City to abandon a section of the City Road System which for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it after notice to property owners located thereon; and

WHEREAS, the abandonment of the portion of the subject road is in the best interest of the public; and

WHEREAS, the portion of the subject road shall be removed from the public road system of the City; and

WHEREAS, The Applicant, or its successors in interest, be required to grant and maintain all existing and necessary utility easements along the subject portion of the roadway; and

WHEREAS, the relocation of the existing gate is a condition precedent to the approval of this Road Abandonment Petition; and

WHEREAS, the City Council has determined that such section of the City Road System has for such reasons ceased to be used by the public to the extent that no substantial public purpose is served by maintaining said road;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CANTON, GEORGIA does hereby certify that it has abandoned said right-of-way.

Adopted this 19th day of March, 2015

Gene Hobgood, Mayor

Attest:

Susan Stanton, City Clerk

Approved as to form and Content:

Robert M. Dyer, City Attorney

Written Description

Laurel Canyon Parkway R/W Abandonment

All that tract or parcel of land lying and being in Land Lots 118 & 119 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

Commencing at a the intersection of the northeasterly right-of-way of Laurel Canyon Parkway (R/W Varies) and the easterly right-of-way of Forrest View Court (R/W Varies);
said point being the TRUE POINT OF BEGINNING;

Thence South 41 degrees 46 minutes 26 seconds East, 45.75 feet to a point;
Thence along a curve to the right, an arc distance of 350.62 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 338.31 feet, at South 15 degrees 20 minutes 28 seconds East, to a point;
Thence South 11 degrees 05 minutes 30 seconds West, 381.15 feet to a point;
Thence along a curve to the left, an arc distance of 123.20 feet, said curve having a radius of 470.00 feet and being subtended by a chord of 122.84 feet, at South 03 degrees 34 minutes 57 seconds West, to a point;
Thence South 03 degrees 55 minutes 35 seconds East, 96.18 feet to a point;
Thence along a curve to the right, an arc distance of 672.68 feet, said curve having a radius of 490.00 feet and being subtended by a chord of 621.09 feet, at South 35 degrees 24 minutes 07 seconds West, to a point;
Thence along a curve to the left, an arc distance of 184.03 feet, said curve having a radius of 370.00 feet and being subtended by a chord of 182.14 feet, at South 60 degrees 28 minutes 52 seconds West, to a point;
Thence along a curve to the right, an arc distance of 224.36 feet, said curve having a radius of 430.00 feet and being subtended by a chord of 221.83 feet, at South 61 degrees 10 minutes 47 seconds West, to a point;
Thence along a curve to the left, an arc distance of 126.15 feet, said curve having a radius of 570.00 feet and being subtended by a chord of 125.90 feet, at South 69 degrees 47 minutes 13 seconds West, to a point;
Thence South 63 degrees 26 minutes 48 seconds West, 94.62 feet to a point;
Thence North 26 degrees 33 minutes 08 seconds West, 112.00 feet to a point;
Thence North 63 degrees 26 minutes 48 seconds East, 46.96 feet to a point;
Thence along a curve to the left, an arc distance of 70.07 feet, said curve having a radius of 170.00 feet and being subtended by a chord of 69.57 feet, at North 51 degrees 38 minutes 22 seconds East, to a point;

Thence North 39 degrees 49 minutes 54 seconds East, 117.11 feet to a point;
Thence along a curve to the right, an arc distance of 343.11 feet, said curve having a radius of 430.00 feet and being subtended by a chord of 334.08 feet, at North 62 degrees 41 minutes 26 seconds East, to a point;
Thence along a curve to the left, an arc distance of 658.17 feet, said curve having a radius of 460.00 feet and being subtended by a chord of 603.45 feet, at North 44 degrees 33 minutes 36 seconds East, to a point;
Thence North 03 degrees 34 minutes 14 seconds East, 112.56 feet to a point;
Thence along a curve to the right, an arc distance of 69.58 feet, said curve having a radius of 530.00 feet and being subtended by a chord of 69.53 feet, at North 07 degrees 19 minutes 52 seconds East, to a point;
Thence North 11 degrees 05 minutes 30 seconds East, 230.60 feet to a point;
Thence along a curve to the left, an arc distance of 438.39 feet, said curve having a radius of 420.00 feet and being subtended by a chord of 418.76 feet, at North 18 degrees 48 minutes 37 seconds East, to a point;
Thence North 45 degrees 45 minutes 45 seconds East, 143.60 feet to the TRUE POINT OF BEGINNING;

LESS AND EXCEPT THE FOLLOWING COMMON AREAS:

COMMON AREA 1:

All that tract or parcel of land lying and being in Land Lot 118 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

Commencing at a the intersection of the northeasterly right-of-way of Laurel Canyon Parkway (R/W Varies) and the easterly right-of-way of Forrest View Court (R/W Varies);

Thence South 45 degrees 45 minutes 45 seconds West, 50.05 feet to a point; said point being the TRUE POINT OF BEGINNING;

Thence South 41 degrees 46 minutes 26 seconds East, 28.14 feet to a point;
Thence along a curve to the right, an arc distance of 60.55 feet, said curve having a radius of 20.00 feet and being subtended by a chord of 39.94 feet, at South 44 degrees 33 minutes 10 seconds East, to a point;
Thence North 48 degrees 42 minutes 45 seconds West, 29.04 feet to a point;
Thence North 45 degrees 45 minutes 45 seconds East, 43.40 feet to the TRUE POINT OF BEGINNING;

COMMON AREA 2

All that tract or parcel of land lying and being in Land Lot 119 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the northeasterly right-of-way of Laurel Canyon Parkway (R/W Varies) and the easterly right-of-way of Forrest View Court (R/W Varies);

Thence South 41 degrees 46 minutes 26 seconds East, 45.75 feet to a point;

Thence along a curve to the right, an arc distance of 350.62 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 338.31 feet, at South 15 degrees 20 minutes 28 seconds East, to a point;

Thence South 11 degrees 05 minutes 30 seconds West, 381.15 feet to a point;

Thence along a curve to the left, an arc distance of 123.20 feet, said curve having a radius of 470.00 feet and being subtended by a chord of 122.84 feet, at South 03 degrees 34 minutes 57 seconds West, to a point;

Thence South 03 degrees 55 minutes 35 seconds East, 96.18 feet to a point;

Thence along a curve to the right, an arc distance of 672.68 feet, said curve having a radius of 490.00 feet and being subtended by a chord of 621.09 feet, at South 35 degrees 24 minutes 07 seconds West, to a point;

Thence along a curve to the left, an arc distance of 184.03 feet, said curve having a radius of 370.00 feet and being subtended by a chord of 182.14 feet, at South 60 degrees 28 minutes 52 seconds West, to a point;

Thence North 43 degrees 46 minutes 05 seconds West, 50.00 feet to a point; said point being the TRUE POINT OF BEGINNING;

Thence along a curve to the right, an arc distance of 198.27 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 196.03 feet, at South 61 degrees 10 minutes 47 seconds West, to a point;

Thence along a curve to the left, an arc distance of 78.92 feet, said curve having a radius of 620.00 feet and being subtended by a chord of 78.87 feet, at South 72 degrees 28 minutes 51 seconds West, to a point;

Thence along a curve to the right, an arc distance of 52.71 feet, said curve having a radius of 20.00 feet and being subtended by a chord of 38.73 feet, at North 35 degrees 40 minutes 01 seconds West, to a point;

Thence North 39 degrees 49 minutes 54 seconds East, 104.45 feet to a point;

Thence along a curve to the right, an arc distance of 303.21 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 295.23 feet, at North 62 degrees 41 minutes 26 seconds East, to a point;

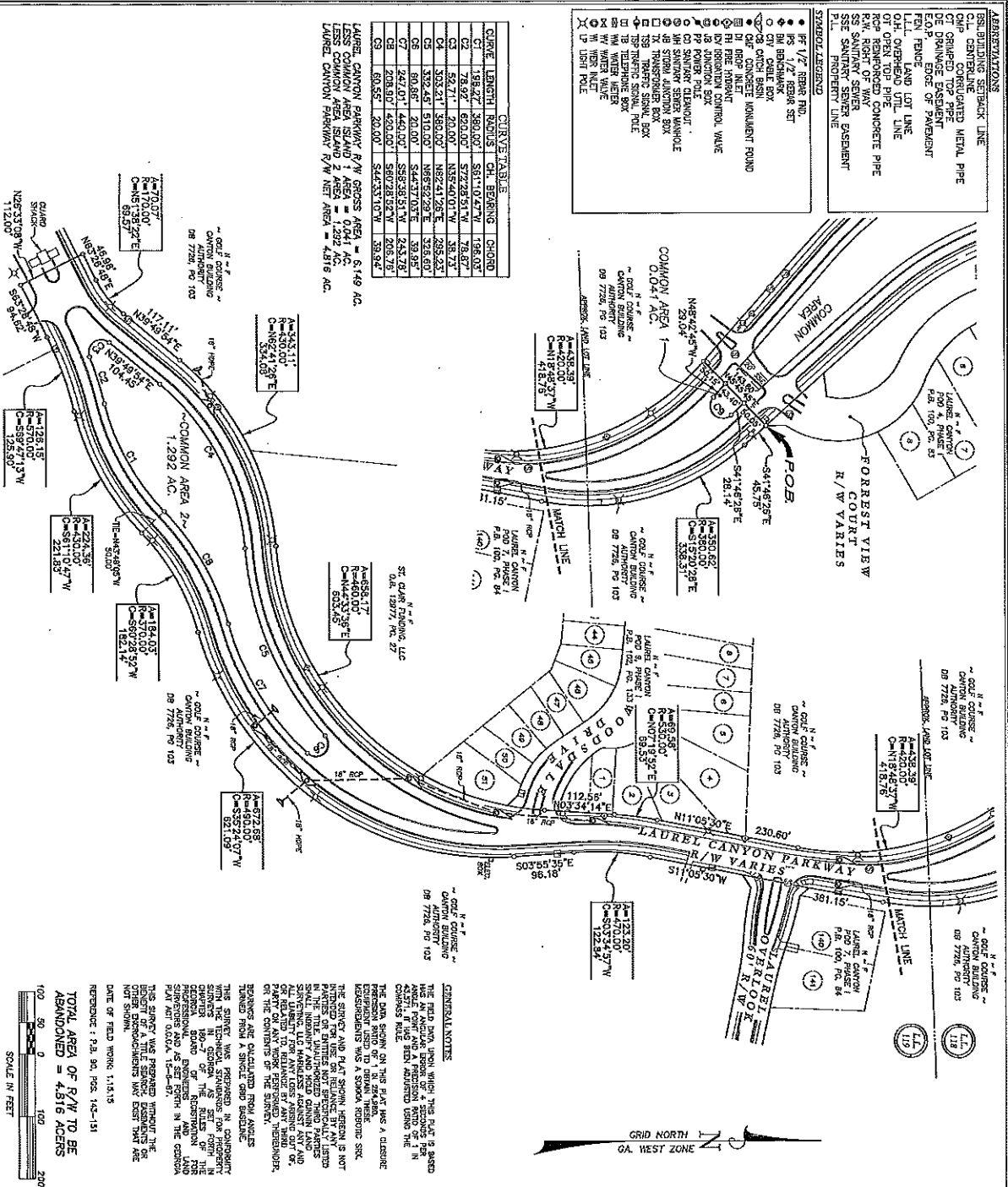
Thence along a curve to the left, an arc distance of 332.45 feet, said curve having a radius of 510.00 feet and being subtended by a chord of 326.60 feet, at North 66 degrees 52 minutes 29 seconds East, to a point;

Thence along a curve to the right, an arc distance of 60.86 feet, said curve having a radius of 20.00 feet and being subtended by a chord of 39.95 feet, at South 44 degrees 37 minutes 03 seconds East, to a point;

Thence along a curve to the right, an arc distance of 247.01 feet, said curve having a radius of 440.00 feet and being subtended by a chord of 243.78 feet, at South 58 degrees 38 minutes 51 seconds West, to a point;

Thence along a curve to the left, an arc distance of 208.90 feet, said curve having a radius of 420.00 feet and being subtended by a chord of 206.76 feet, at South 60 degrees 28 minutes 52 seconds West, to the TRUE POINT OF BEGINNING;

Said tract containing 4.816 Acres



DATE	REVISION



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SHEET
OF
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Gunnin

LAND SURVEYING, LLC

205 MOUNTAIN BROOK DRIVE, SUITE 104
CARTERSVILLE, GA 30115

Tel: 678.698.7502
Land Surveyor: Brian Kinnard H00010313

www.gunninlandsurveying.com

R/W ABANDONMENT PLAT OF A PORTION OF
**LAUREL CANYON
PARKWAY**
LOCATED IN LAND LOTS 118 & 119
14th DISTRICT, 2nd SECTION
CITY OF CANTON, CHEROKEE COUNTY, GEORGIA
JANUARY 12, 2015