



# COUNCIL AGENDA REPORT

**FROM:** Community Development Department  
Prepared by: Ken Patton

**CC:** City Clerk  
Public Information

**SUBJECT:** Submittal of petition for public road abandonment for a portion of Laurel Canyon Parkway

**DATE:** June 21, 2016

---

## RECOMMENDATION

### REPORT-IN-BRIEF

Lifestyle at Laurel Canyon, LLC has submitted a request seeking the abandonment of approximately 1,976' feet of Laurel Canyon Parkway. The area requested to be abandoned is 4.467 acres. The reason for the requested abandonment is to relocate the existing security gate/guardhouse further north so that all of the Soleil development will be located behind the gate/guardhouse.

### DISCUSSION

### CONCURRENCES

### FISCAL IMPACT

### ALTERNATIVES

### Attachments

PETITION FOR PUBLIC ROAD ABANDONMENT

CITY OF CANTON, GEORGIA

IN RE: )  
)  
Lifestyle at Laurel Canyon, LLC, )  
) Application No.  
Applicant, )  
)

Approximately 4.467 acres of 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  
in the legal description attached at Exhibit "1"  
and the survey attached at Exhibit "2".

Property.

COMES NOW the Applicant, Lifestyle at Laurel Canyon, LLC, and respectfully presents  
this petition and requests that that the above-referenced portion of Laurel Canyon Parkway,  
being more particularly described in the legal description attached at Exhibit "1" and the survey  
attached at Exhibit "2", be vacated as a public street by the City of Canton.

This petition for the vacation of 4.467 acres of Laurel Canyon Parkway is based on the  
following:

1.

WHEREAS that portion of Laurel Canyon Parkway, being more particularly described in  
the legal description attached at Exhibit "1" and the survey attached at Exhibit "2" ("Subject  
Roadway"), is currently a municipal street owned by the City of Canton.

2.

WHEREAS the Applicant respectfully requests the Subject Roadway shown in Exhibits  
"1" and "2" be abandoned by the City of Canton as a public street.

Exhibit "A"

3.

WHEREAS the Applicant seeks to move the existing gate and guard house entrance to the Soleil subdivision on Laurel Canyon Parkway, thus necessitating the abandonment of the Subject Roadway as a public street.

4.

WHEREAS the Applicant, or its successor in interest, seeks to own and maintain that portion of the Subject Roadway as a private street.

5.

WHEREAS the City's abandonment of the Subject Roadway from the municipal street system is in the best interest of the public since the road will be privately maintained to comply with City standards.

6.

WHEREAS the requested public road abandonment will allow the City to focus its public resources in other areas within the City of Canton.

7.

WHEREAS the gate is being moved for reasons of safety and the protection of existing residents within the Laurel Canyon/Soleil community.

8.

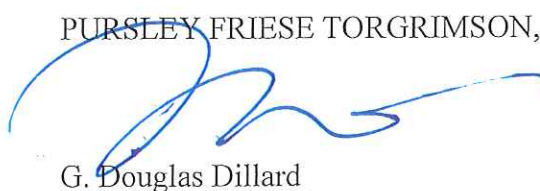
WHEREAS the impact of the abandonment on the property and to the owners of the property will be minimal, if any, since the road will remain as is and will be privately maintained for the benefit of all property owners in the area.

WHEREFORE the Applicant respectfully requests the following:

- A) A Declaration by the City Council that the conversion of the Subject Roadway will not adversely affect the public or users of the road;
- B) A Declaration by City Council that the proposed abandonment of the Subject Roadway is in the best interest of the public;
- C) The Subject Roadway be removed from the public road system of the City;
- D) The Applicant, or its successors in interest, be required to maintain the Subject Roadway as a private road;
- E) The Applicant, or its successors in interest, be required to grant and maintain all existing and necessary utility easements along the Subject Roadway;
- F) The relocation of the existing gate is a condition precedent to the approval of this Road Abandonment Petition; and
- G) Such other or further relief as is just and proper under the circumstances.

Respectfully submitted,

PURSLEY FRIESE TORGRIMSON, LLC



G. Douglas Dillard  
Jillian Arnold  
Attorneys for Applicant

Promenade, Suite 1200  
1230 Peachtree Street, NE  
Atlanta, GA 30309

## 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); 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 88.24 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 88.05 feet, at South 35 degrees 07 minutes 17 seconds East, to a point; said point being the TRUE POINT OF BEGINNING;

Thence along a curve to the right, an arc distance of 262.37 feet, said curve having a radius of 380.00 feet and being subtended by a chord of 257.19 feet, at South 08 degrees 41 minutes 18 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 329.66 feet, said curve having a radius of 420.00 feet and being subtended by a chord of 321.26 feet, at North 11 degrees 23 minutes 38 seconds West, to a point;  
Thence North 56 degrees 07 minutes 13 seconds East, 135.46 feet to the TRUE POINT OF BEGINNING;

LESS AND EXCEPT THE FOLLOWING COMMON AREA:

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 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 41 degrees 46 minutes 26 seconds East, 45.75 feet to a point;  
Thence along a curve to the right, an arc distance of 350.61 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;

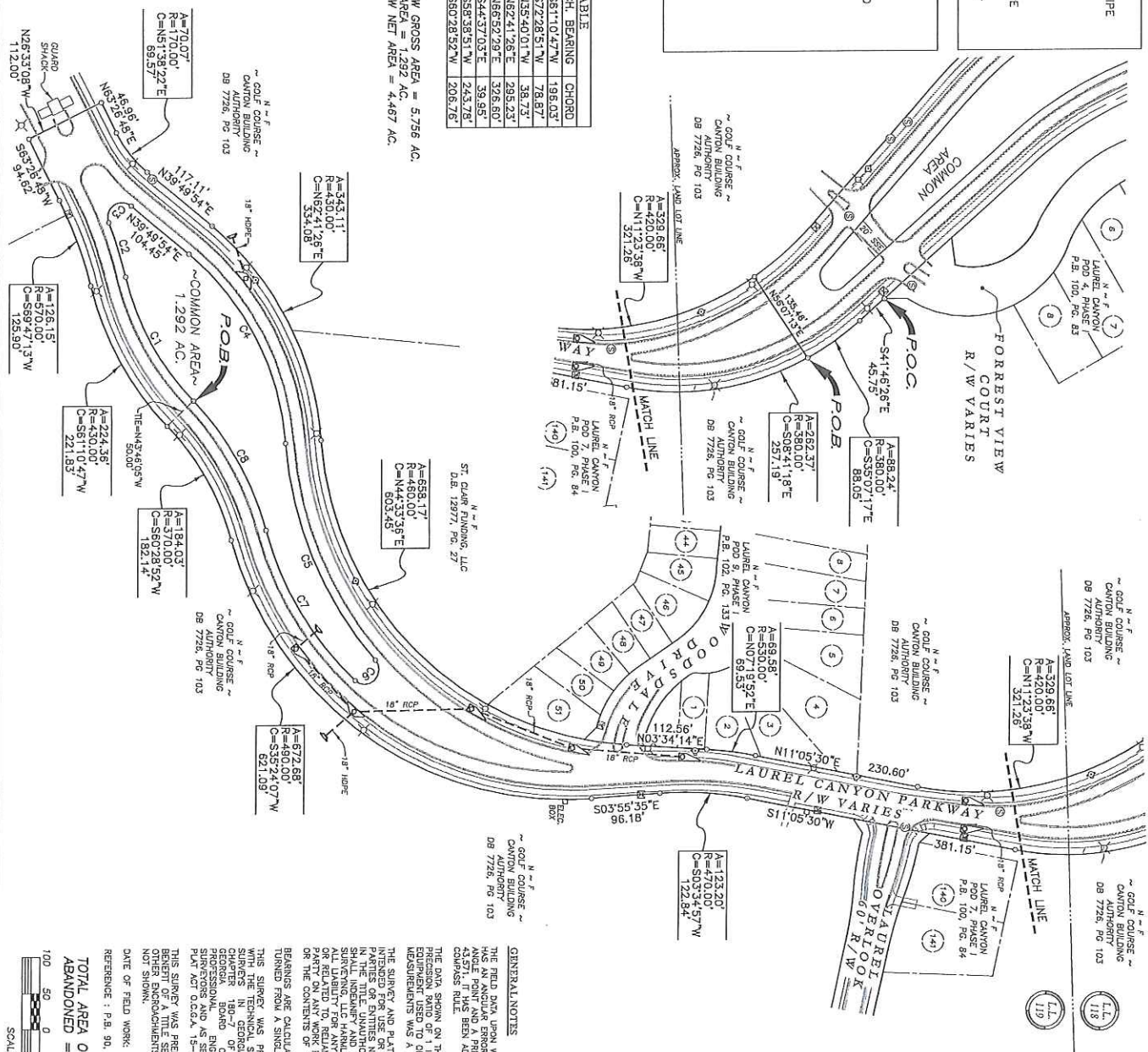
Thence along a curve to the left, an arc distance of 208.90 feet, said curve having a radius of 420.00 feet and being subtended by a chord of 206.76 feet, at South 60 degrees 28 minutes 52 seconds West, to the TRUE POINT OF BEGINNING;

Said tract containing 4.467 Acres.

ABBREVIATIONS	
BSL	BUILDING SETBACK LINE
C.L.	CENTRELINE
CMP	CORRUGATED METAL PIPE
CT	CRIMPED TOP PIPE
DE	DE DRAINAGE EASEMENT
E.O.P.	EDGE OF PAVEMENT
F.N.	FENCE
L.L.L.	LAND LOT LINE
O.H.	OVERHEAD UTIL. LINE
OT	OPEN TOP PIPE
RCP	REINFORCED CONCRETE PIPE
R.W.	RIGHT OF WAY
SE	SEWERY SEWER
SE	SEWERY SEWER EASEMENT
P.L.	PROPERTY LINE

CURVE		CHORD	
LENGTH	CH. BEARING	LENGTH	CH. BEARING
C1	198.27°	380.00°	S61.10/47.7°
C2	76.82°	620.00°	S72.28/51.7°
C3	52.71°	20.00°	N35.40/01.7°
C4	303.21°	350.00°	N62.41/28.2°
C5	332.45°	510.00°	N66.52/28.2°
C6	50.86°	20.00°	S44.37/03.2°
C7	247.01°	440.00°	S58.38/51.5°
C8	208.90°	420.00°	S60.28/52.7°

LAUREL CANYON PARKWAY R/W GROSS AREA = 5.756 AC.  
LESS COMMON AREA ISLAND AREA = 1.292 AC.  
LAUREL CANYON PARKWAY R/W NET AREA = 4.467 AC.



GRID NORTH  
GA. WEST ZONE

## GENERAL NOTES

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 4 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 43,571. IT HAS BEEN ADJUSTED USING THE COMPASS RULE.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY OF THE PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD GUNNAN LAND SURVEYING, LLC HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER OR THE CONTENTS OF THE SURVEY.

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS OF THE STATE OF GEORGIA. ENGINEERS AND LAND SURVEYORS ARE AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THIS SURVEY WAS PREPARED WHOLLY THE  
BENEFIT OF A TITLE SEARCH, EASEMENTS OR  
OTHER ENCROACHMENTS MAY EXIST THAT ARE  
NOT SHOWN.

DATE OF FIELD WORK: 1.15.15

REFERENCE : P.B. 90, PCS. 143-151

TOTAL AREA OF R/W TO BE  
ABANDONED = 4.467 ACERS

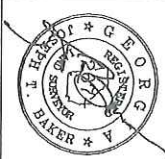
100 50 0 100

SCALE IN FEET

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

DATE	REVISION
07.14.15	REVISED/REDUCED NORTHERN END OF BOUNDARY



**Gunnin**  
LAND SURVEYING, LLC  
105 MOUNTAIN BROOK DRIVE, SUITE 104  
CANTON, GA 30115  
Tel: 678.880.7502  
Fax: 678.609.4731  
[www.gunninlandsurveying.com](http://www.gunninlandsurveying.com)  
Land Surveyor Firm License No. LSF001033



CAMPAIGN DISCLOSURE STATEMENT

G. DOUGLAS DILLARD and JILL ARNOLD, of the law firm of PURSLEY FRIESE TORGRIMSON, LLP, have been retained to represent LIFESTYLE AT LAUREL CANYON, LLC before the CITY OF CANTON, GEORGIA. Pursuant to the provisions of O.C.G.A. §36-67A-3, please find below a list of the contributions made by the above-named individuals, or the law firm of PURSLEY FRIESE TORGRIMSON, LLP, in the past two years, aggregating \$250.00 or more, to local government officials who may review this Application.

<u>NAME OF GOV'T. OFFICIAL</u>	<u>POSITION</u>	<u>AMOUNT OF CONTRIBUTION</u>	<u>DATE OF CONTRIBUTION</u>
NONE			

PURSLEY FRIESE TORGRIMSON, LLP

By: \_\_\_\_\_

G. DOUGLAS DILLARD

By: \_\_\_\_\_

JILL ARNOLD

Date: \_\_\_\_\_

4/29/16

1230 Peachtree Street, NE  
Suite 1200  
Atlanta, GA 30309  
404-876-4880



APPROX. AREA  
of R-O-W

