
MEMORANDUM

To: Mayor and City Council

From: Brent Walker

Date: September 12, 2011

Subject: **Discussion of the Quitclaim Deed for the Donaldson Family Cemetery**

ITEM DESCRIPTION

Discussion of the Donaldson Family Cemetery Quitclaim Deed.

BACKGROUND

In June of 2010 the City of Dunwoody purchased the Donaldson-Chesnut Farm from DeKalb County to be part of our park system. The farm's adjoining family cemetery was not included in this purchase as it was still owned by the Donaldson family. Recently, Mr. Fred Donaldson contacted City staff and expressed a desire to transfer the cemetery to the City.

A quitclaim deed has been created to this effect with a clause providing that the property be maintained to the minimum standards as specified by the International Property Maintenance Code which dictates that all exterior property areas be kept clean, safe and in a sanitary condition. Staff is prepared to provide proper maintenance to the cemetery as part of the general maintenance to the park property to address these concerns from the Donaldson family.

RECOMMENDED ACTION

Transfer of this property to the City will ensure that it remains intact as a family cemetery and maintains its historical significance to the Donaldson-Chesnut Farm. Staff respectfully requests that Council approve the property transfer and authorize staff to take the appropriate actions necessary to complete the transaction.

Upon recording return to:
Brian Anderson
City Attorney, City of Dunwoody
41 Perimeter Center East
Dunwoody, Georgia 30346

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF DEKALB

THIS INDENTURE made by and between Fred Hayden Donaldson of 4420 Hwy 166, Douglasville, Georgia 30135, (the "Grantor"), and City of Dunwoody, Georgia, a body corporate and politic and a municipal corporation organized under the laws of the State of Georgia, whose mailing address is 41 Perimeter Center East, Dunwoody, Georgia 30346, (the "Grantee").

The Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged by the Grantee, has BARGAINED, SOLD, and CONVEYED and QUITCLAIM, upon the condition that the property is maintained to the minimum standards as specified by the International Property Maintenance Code as adopted by the City of Dunwoody, the below described tract or parcel of land more fully and completely described as follows:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 352 of the 18th District, DeKalb County, Georgia, and being more particularly described with DeKalb County parcel identification number 18-352-01-010.

TO HAVE AND TO HOLD the said described premises to the 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 or title to said premises or appurtenances, or any rights thereof, provided that the property is maintained to the minimum standards as specified by the International Property Maintenance Code as adopted by the City of Dunwoody and in the event this condition subsequent is not fulfilled, then the Grantor or his heirs may enter and terminate this indenture.

IN WITNESS HEREOF, Grantor has caused this Quitclaim Deed to be executed by his hand as of _____ day of _____, 2011.

Signed, sealed and delivered in the presence of:

GRANTOR:

First Witness

Fred Hayden Donaldson

Notary Public

Second Witness

My Commission expires:

[Notary Seal]

