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MEMORANDUM

To: Mayor and City Council

From: Warren Hutmacher, City Manager

Date: June 26, 2012

Subject: Project Renaissance: Transference of Property

ITEM DESCRIPTION

In order for the City of Dunwoody to implement key provisions of the Development Agreement the City entered into with John Wieland Homes and Neighborhoods for the future redevelopment of the 16 Acre Parcel, the property must first be transferred to the Urban Redevelopment Agency.

BACKGROUND

In April, the City established the Urban Redevelopment Agency in order to implement the Project Renaissance Urban Redevelopment Plan. The adopted Urban Redevelopment Plan outlines the City's strategy to redevelop a 16 acre property, purchased by the City in 2011, and a 19 acre property the City has under contract to purchase over the next three years.

At the June 11th Council Meeting, the City entered into a Development Agreement with John Wieland Homes and Neighborhoods. Through this agreement, the responsibilities and obligations of both parties as it relates to the redevelopment of the full 35 acres have been identified. As such, it is now appropriate for the City to transfer the property to the Urban Redevelopment Agency (URA). The roles and responsibilities of the City and the URA as it relates to the implementation of the Development Agreement will be governed by the Intergovernmental Agreement between the City and the URA. The Intergovernmental Agreement is on your agenda this month for consideration.

RECOMMENDATION

Staff recommends conducting the first read of an Ordinance to transfer the 16 Acre Parcel to the Urban Redevelopment Agency, subject to the specific restrictions included in the Intergovernmental Agreement.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2012-XX-XX

**AN ORDINANCE ADOPTING AND AUTHORIZING A PROPERTY DEED TO
TRANSFER CERTAIN PROPERTY TO THE CITY OF DUNWOODY URBAN
REDEVELOPMENT AGENCY**

WHEREAS, the City of Dunwoody owns 16 acres of real property located off of North Shallowford Road, bounded on the west by Chamblee Dunwoody Road, on the northeast by North Shallowford Road, and on the southeast by Dunwoody Park Drive, more specifically described in the legal descriptions attached to the Quitclaim Deed which is incorporated herein by reference as Exhibit A; and

WHEREAS, the City of Dunwoody, by Resolution 2012-05-16, has created and appointed members to an Urban Redevelopment Agency ("Agency") to oversee the redevelopment of the Urban Redevelopment Area as created by the City with Resolution 2012-04-10 and pursuant to Chapter 61 of Title 36 of the O.C.G.A.; and

WHEREAS, the 16 acres of real property is wholly part of the 35 Acre Redevelopment Area designated by the City and is part of a development plan which the Agency will oversee as part of its own Development Agreement; and

WHEREAS, in order to effect the redevelopment of the 16 acres of real property by the Agency, the City wishes to transfer to the Agency the 16 acres of real property pursuant to the Quitclaim Deed attached hereto as Exhibit A; and

WHEREAS, pursuant to Section 2.10 of the Charter, in order to transfer land owned by the City to another party, the City must do so by Ordinance; now

**THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF DUNWOODY AS FOLLOWS:**

Section 1. That the Mayor and City Council hereby authorize the transfer of the 16 acres of real property, as described in the attached Quitclaim Deed, incorporated herein as Exhibit A, pursuant to the attached Deed language and with all the conditions and restrictions included therein, to the City of Dunwoody Urban Redevelopment Agency.

Section 2. That the City Manager is hereby authorized to execute all applicable and appropriate documents, and to file same with the DeKalb Superior Court, including the attached Quitclaim Deed, to effectuate the execution of said Transfer.

SO ORDAINED AND EFFECTIVE, this 9th day of July, 2012.

Approved:

#M.2.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2012-XX-XX

Michael G. Davis, Mayor

ATTEST:

Sharon Lowery, City Clerk

(Seal)