



4800 Ashford Dunwoody Road  
Dunwoody, Georgia 30338  
dunwoodyga.gov | 678.382.6700

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Michael Smith, Public Works Director

**Date:** February 27, 2023

**Subject:** **Approval of a Right of Way Dedication at 4553 and 4555 North Shallowford Road**

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### **Action**

Authorize the Mayor, City Manager, or designee to execute all documents necessary and proper to dedicate 0.115 acres (4,991 square feet) of city-owned property at 4553 and 4555 North Shallowford Road as public right of way for the purposes of transportation improvements on North Shallowford Road.

### **Summary**

The city is preparing to sell property at 4553 and 4555 North Shallowford Road to Summit Healthcare Group but needs to retain a narrow strip of the property as public right of way for future transportation improvements. The property to be retained is a narrow strip of land approximately 8 feet wide along North Shallowford Road and Pernoshal Court as shown in Exhibit A of the Right of Way Deed. The total area to be dedicated is 0.115 acres (4,991 square feet).

### **Recommendation**

Authorize the Mayor, City Manager, or designee to execute all documents necessary and proper to dedicate 0.115 acres (4,991 square feet) of city-owned property at 4553 and 4555 North Shallowford Road as public right of way for the purposes of transportation improvements on North Shallowford Road.

AFTER RECORDING RETURN TO:  
Andrew H. Meyer, Esq.  
Mozley, Finlayson & Loggins LLP  
1050 Crown Pointe Parkway  
Suite 1500  
Atlanta, Georgia 30338  
Tax Parcel ID Nos. 18-344-01-007 & 18-344-01-009

**CITY OF DUNWOODY GEORGIA - RIGHT OF WAY DEED**

STATE OF GEORGIA  
COUNTY OF DEKALB

THIS CONVEYANCE made and executed the \_\_\_ day of \_\_\_\_\_, 2023.

WHEREAS, the **CITY OF DUNWOODY**, the undersigned (hereinafter referred to as "Grantor"), is the owner of a tract of land lying and being in Land Lot 344 of the 18th District, City of Dunwoody, DeKalb County, Georgia through which the Project known as 4553 & 4555 North Shallowford Road at Pernoshal Court Intersection Improvements, has been laid out by the City of Dunwoody Georgia being more particularly described in Right of Way map and drawing of said road to which reference is hereby made.

NOW THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of TEN DOLLARS (\$10.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant, sell and convey to said CITY OF DUNWOODY GEORGIA, and their successors in office so much land as to make a Right of Way for said road as surveyed, being more particularly described as follows:

Said right of way is hereby conveyed, consisting of 0.115 acres ( 4,991.00 sq. ft.), more or less, as shown by the cross-hatched area on the attached plat of survey prepared for SHG Dunwoody LLC, DOC-Dunwoody Medical Campus, LLC and Calloway Title and Escrow, LLC by Craig A. Jennings, Georgia Registered Land Surveyor No. 3043, of GeoSurvey Land Surveying dated April 25, 2022, Job No. 20217131, said plat attached hereto and made a part of this deed.

All that tract or parcel of land lying and being in the Land Lot 344 of the 18th District of DeKalb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year first above written.

Signed, sealed and delivered  
in the presence of:

**THE CITY OF DUNWOODY, GEORGIA**, a  
municipal corporation of the State of Georgia

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Lynn Deutsch (SEAL)  
Its: Mayor

\_\_\_\_\_  
Notary Public

Attest:

By: \_\_\_\_\_ (SEAL)  
Sharon Lowery  
Its: City Clerk

[AFFIX CORPORATE SEAL]

Read and Approved:

\_\_\_\_\_  
By: Kenneth R. Bernard, Jr. (SEAL)  
Its: City Attorney

**EXHIBIT "A"**

**Legal Description**

**Tract 1 – Retained Right-of-Way**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 344 OF THE 18<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF NORTH SHALLOWFORD ROAD (80' RIGHT-OF-WAY) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PERNOSHAL COURT (60' RIGHT-OF-WAY); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 47°52'55" EAST, A DISTANCE OF 198.18 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF CURVE TO THE RIGHT, AN ARC DISTANCE OF 51.26 FEET, SAID ARC HAVING A RADIUS OF 271.56 FEET AND CHORD WHICH BEARS NORTH 53°17'23" EAST, A DISTANCE OF 51.18 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE, SOUTH 40°17'52" EAST, A DISTANCE OF 9.75 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT AN ARC DISTANCE OF 50.97 FEET, SAID CURVE HAVING A RADIUS OF 261.94 FEET AND A CHORD WHICH BEARS SOUTH 53°27'20" WEST, A DISTANCE OF 50.89 FEET TO A POINT; THENCE SOUTH 47°52'55" WEST, A DISTANCE OF 167.71 FEET TO A POINT; THENCE SOUTH 00°58'12" WEST, A DISTANCE OF 35.01 FEET TO A POINT; THENCE SOUTH 40°01'14" EAST, A DISTANCE OF 248.85 FEET TO A POINT; THENCE SOUTH 63°09'50" WEST, A DISTANCE OF 8.04 FEET TO A POINT LOCATED ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH SHALLOWFORD ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 40°01'14" WEST, A DISTANCE OF 281.95 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 0.11 ACRES OR 4,835.46 SQUARE FEET MORE OR LESS.

**Tract 2 – Retained Right-of-Way**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 344 OF THE 18<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF NORTH SHALLOWFORD ROAD (80' RIGHT-OF-WAY) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PERNOSHAL COURT (60' RIGHT-OF-WAY); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 40°01'14" EAST, A DISTANCE OF 281.95 FEET TO A POINT AND THE POINT OF BEGINNING;

THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID RIGHT-OF-WAY LINE, NORTH 63°09'50" EAST, A DISTANCE OF 8.04 FEET TO A POINT; THENCE SOUTH 40°01'14" EAST, A DISTANCE OF 19.77 FEET TO A POINT; THENCE SOUTH 61°30'43" WEST, A DISTANCE OF 7.99 FEET TO A POINT LOCATED ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID NORTH SHALLOWFORD ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 40°01'14" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 0.004 ACRES OR 155.67 SQUARE FEET MORE OR LESS.

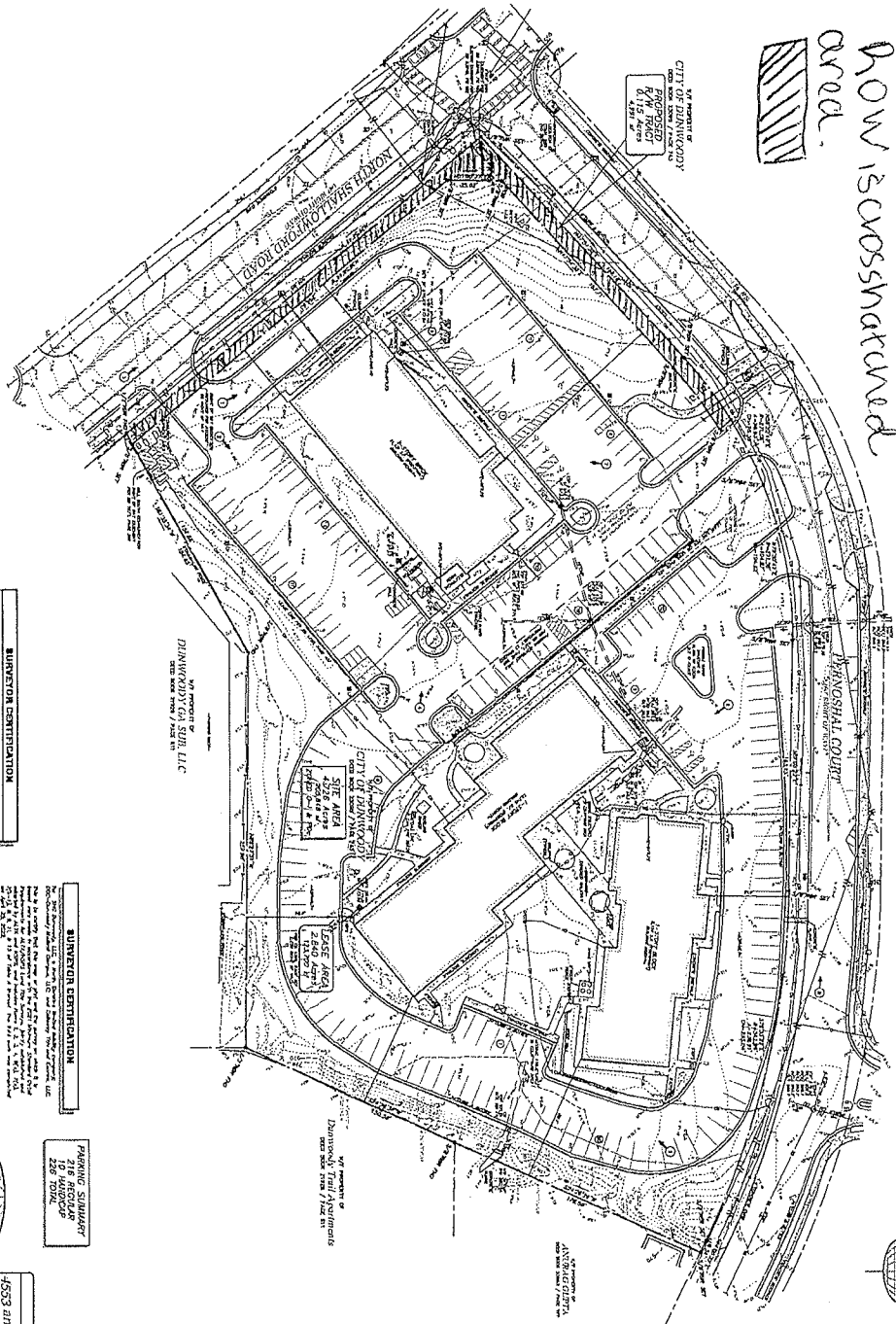


SITE PHOTOS

**TITLE COMMITMENT**  
 THE CITY OF DUNWOODY HAS REVIEWED THE PLANS AND SPECIFICATIONS FOR THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROJECT IS IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCES AND LOCAL ORDINANCES. THE CITY'S COMMITMENT IS LIMITED TO THE REVIEW OF THE PLANS AND SPECIFICATIONS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

*How is crosshatched area*

CITY OF DUNWOODY  
 ENGINEER  
 8150 PERC  
 10000



**811**  
 Know what's below.  
 Call 811 before you dig.  
 OR CALL 888-585-8111

**PROPERTY DESCRIPTION**  
 THE PROPERTY IS LOCATED AT THE CORNER OF DUNWOODY ROAD AND DUNWOODY COURT, DUNWOODY, GA. THE PROPERTY IS ZONED R-10 (RESIDENTIAL SINGLE-FAMILY) AND IS CURRENTLY OCCUPIED BY A SINGLE-FAMILY RESIDENCE. THE PROPOSED DEVELOPMENT IS A COMMERCIAL DEVELOPMENT CONSISTING OF A BUILDING AND A PARKING LOT.

**LINE TABLE**

1	EXISTING	1/8" = 1'-0"
2	PROPOSED	1/8" = 1'-0"

**SHADING TABLE**

1	EXISTING	1/8" = 1'-0"
2	PROPOSED	1/8" = 1'-0"



**DUNWOODY CERTIFICATION**  
 I, the undersigned, being a duly licensed Professional Engineer in the State of Georgia, do hereby certify that the above is a true and correct copy of the plans and specifications for the proposed development as submitted to the City of Dunwoody, Georgia.

**DYNAMIC SCALE**

0	10	20
1" = 20'		

**DUNWOODY CERTIFICATION**  
 I, the undersigned, being a duly licensed Professional Engineer in the State of Georgia, do hereby certify that the above is a true and correct copy of the plans and specifications for the proposed development as submitted to the City of Dunwoody, Georgia.



**PARKING SIGNAGE**  
 18" x 24" (1000)

4553 and 4555 N. Shallowford Rd. Dunwoody, GA 30328

**SHG Dunwoody, LLC**  
**DOC-Dunwoody Medical Campus, LLC**  
**Calloway Title and Escrow, LLC**

1-770-251-1000  
 1-770-251-1000  
 1-770-251-1000

**GENERAL NOTES**  
 1. THE CITY OF DUNWOODY HAS REVIEWED THE PLANS AND SPECIFICATIONS FOR THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROJECT IS IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCES AND LOCAL ORDINANCES. THE CITY'S COMMITMENT IS LIMITED TO THE REVIEW OF THE PLANS AND SPECIFICATIONS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

**LEGEND**  
 1. EXISTING BUILDING FOOTPRINT  
 2. PROPOSED BUILDING FOOTPRINT  
 3. EXISTING PARKING LOT  
 4. PROPOSED PARKING LOT  
 5. EXISTING ROAD  
 6. PROPOSED ROAD  
 7. EXISTING UTILITY LINE  
 8. PROPOSED UTILITY LINE

**UTILITY NOTE**  
 THE UTILITY LINES SHOWN ON THESE PLANS ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE UTILITY LINES ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.