



BrookNotes

April 2005

The Newsletter of the Brookwood Hills Community

Volume XVIII, No. 3

Spring Fling Fun!

By Shannon Dixon — Social Co-chair

Thank you once again to our friend and neighbor Patti Junger with Caldwell Banker Buckhead Brokers for hosting our wonderful 'Spring Fling' in the park. The weather, our beautiful park, and the work of many neighbors made this into a day not to be forgotten.

We kicked off with our annual egg hunt. The eggs were filled with candy, toys and some special golden egg notes. The children who found the golden eggs were presented with a \$10.00 gift certificate to Jake's Ice cream. Francie Wilbert found the golden egg in the 0-3 year old hunt, Leanne Passarella and Sarah Cook found the golden eggs in the 4 to 8 year old hunt and Grant Kelly found the well hidden golden egg in the 9 years and above hunt.

The Easter Bunny came hopping into the park as the DJ played "The Easter Bunny Is Coming To Town". Neighbors Jennifer and Robert Varn took photos of the bunny and our Brookwood Hills children. For more photos and info on how to purchase them, please turn to page seven.



Grace Armstrong sits with the Easter Bunny.

Other fun events of the day included the Hula Hoop Contest, the Sidewalk Art Contest and the Scavenger Hunt.



This day could have never happened without our wonderful group of volunteers. We would like to thank the following people for making this such a fun and memorable event: Benning Grice, Elizabeth Grice, Dan Granot, Lauren Whitehurst, Mary Beth Quinley, Caroline Vroon, Terri Thompson, Elaine Luxemburger, Jerry Luxemburger, Burch Hanson, Micki Gambrell, Eleanor Rhangos, Audrey Bromstad, Virginia King, Laurie King, Fred Simon, Stan Dixon, and Heidi Leithieiter.

Thank you to everyone who participated in this years 'Spring Fling'. It is events like this that truly make our neighborhood special!

Graham and Kem Lee hunt for eggs.



BROOKNOTES

Brooknotes is published monthly for residents of Brookwood Hills on behalf of the Brookwood Hills Community Club, 77 Wakefield Drive, Atlanta, Ga. 30309. Brooknotes is sponsored on alternate months by Patti Junger of Coldwell Banker/Buckhead Brokers and Sarah Hagood of Specialty Homes, Inc.

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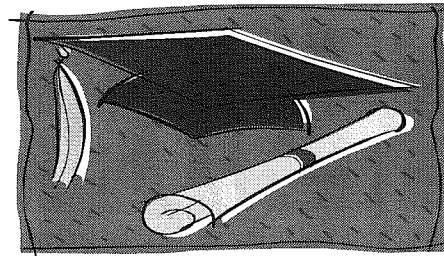
Sharon Williams 404-355-5988

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Security Alert Signs

When you see the **Security Alert signs** posted at the entrances to our neighborhood, please call the **Brookwood Hills Security Information Line 404-325-5114** for details concerning a recent security incident. These signs are a signal that an incident has occurred in the neighborhood and the information has been recorded on the hotline.



Attention Graduates, Proud Parents!

Please send all graduation information to brooknotes@yahoo.com by Wednesday, May 4th so that we can include it in the next Brooknotes.

Brookwood Hills Community Club announces our 2005 Summer Events & Activities

via our new and improved web site
www.brookwoodhills.com
the site includes information regarding:

- ★ **Swim & Dive Team Registration**
Sunday, April 17, 2005 from 1-3pm. at the pool
- ★ **2005 Summer Calendar**
- ★ **Upcoming Social Events**
- ★ **Aquatic & Adult Swimming Programs**
- ★ **Tennis Information**
- ★ **Park & Pool Pavilion Information**
and much, much more! Just click on 2005 Pool Season Packet.

(If you need assistance accessing this information please call Kathy Gentry at 404.876.4480 or Jim King at 404.355.1666. We will see you at the pool.)

Brooknotes welcomes articles, art work, photographs and story ideas. The deadline for the next issue of Brooknotes is Wednesday, May 4, 2005. Submissions may be e-mailed to brooknotes@yahoo.com or dropped off at 110 Huntington Rd.

Clear Creek Conservation Easement Update

One year ago, the Board of the Brookwood Hills Community Club formed a committee to consider placing a conservation easement on our Clear Creek property, and to look at ways to further improve the land, such as stream bank stabilization. The City of Atlanta has been ordered by a federal court to find ways to protect environmentally key stream and creeks in the metro area, in order to improve the water quality in the Chattahoochee watershed. This environmental effort is called the Greenway Acquisition Plan. The neighborhood's Clear Creek committee, which includes several lawyers, as well as people with experience in environmental issues and in working with the City, has been considering whether it would be appropriate to place a conservation easement on our Clear Creek property under the City's Greenway Acquisition Plan.

This article is an attempt to answer frequently asked questions about conservation easements and the Greenway Acquisition Plan, and briefly to explain this project's relationship to the City's newly proposed "Beltline" that has received so much coverage in the press lately. The BWHCC Board plans to schedule a general club meeting in the near future to present the issues to the neighborhood and to solicit feedback. In the meantime, we encourage you to review the following and to contact any of the members of the committee listed below, if you have any questions or suggestions.

What is the Clear Creek Property? The Community Club's Clear Creek property is the 52-acre green space that surrounds Clear Creek as it flows northwestward from under I-85 toward Peachtree Creek, where our neighborhood borders Peachtree Hills. It is the wooded area that runs along the eastern sides of Huntington, Middle and Lower Camden Roads. The neighborhood has relied on this green space to serve as a buffer to Armour Industrial Park, and periodically we have had to protect it from proposed encroachments such as "cut-thru" roads to link Peachtree to Piedmont, and heavy industrial uses in Armour Circle. The practice of the BWHCC Board has always been, and continues to be, to maintain ownership and control of this property and to maintain it in a natural undeveloped state.

What is the Greenway Acquisition Plan? The City of Atlanta's Greenway Acquisition Plan is a \$25 million program to protect properties in a natural vegetative state adjacent to selected rivers and creeks within the Metro Atlanta area, in order to improve the water quality and environment in the Chattahoochee River watershed. The project is part of a settlement of a lawsuit in which several environmental groups, including the EPA, EPD, and the Upper Chattahoochee Riverkeepers sued the City of Atlanta over environmental violations and poor water quality. To learn more about the lawsuit or the Greenway Acquisition Plan, go to www.cleanwateratlanta.org.

What are the benefits of selling a conservation easement to the City? Placing a conservation easement on our Clear Creek property would ensure that the land remains in its natural state in perpetuity. There are many charities, such as the Nature Conservancy, that can hold conservation easements, and the Board in the past has investigated donating an easement to such organizations. The BWHCC is a non-profit corporation, however, so a donation would offer little financial benefit to the Club. In addition, most environmental charities expect easement donations to come with additional funds that enable the charity to maintain or restore the donated land. The City, in contrast, is willing to pay us to place an easement on the property. Thus, the Greenway Acquisition Plan is probably a unique opportunity to realize a considerable financial gain, guarantee that Clear Creek will remain a green space forever, and still retain most of our rights of ownership. The proceeds from the sale of the conservation easement could then be used to pay off the Club's capital improvements' debt, or to improve the Clear Creek land, or both.

If the easement is granted, are we relinquishing control of the property to the City of Atlanta? No. We are not selling the land to the City of Atlanta: we are agreeing permanently to leave the area in a natural vegetative state. The Community Club would retain all other rights of ownership, including control, access, and the ability to restore and maintain the property. The City gains only the right to inspect the property to ensure that we are, in fact, maintaining it in its natural vegetative state

Moreover, the Greenway Acquisition Plan was developed under the auspices of the Federal court system. Were the City ever to try to violate the terms of the easement, the neighborhood, as well as the plaintiffs in the original environmental lawsuit, would have the legal right to stop them. Indeed, such an easement would make it harder for the City ever to gain full control of the land: under the language that the committee has proposed to the City, the conservation easement would be permanent and survive any condemnation process or sale of the land.

What about putting the land in a mitigation bank? A mitigation bank is a vehicle that allows landowners to restore qualified streams and wetlands and sell credits to a "bank" where developers can buy those credits to use for other developments. After consulting with experienced advisors, the committee concluded that our property would most likely not meet the current program requirements because of its size and configuration. In addition, the set-up costs and on-going liability would be prohibitive. Nonetheless, the Community Club will retain the right to pursue this option in the future under the conservation easement.

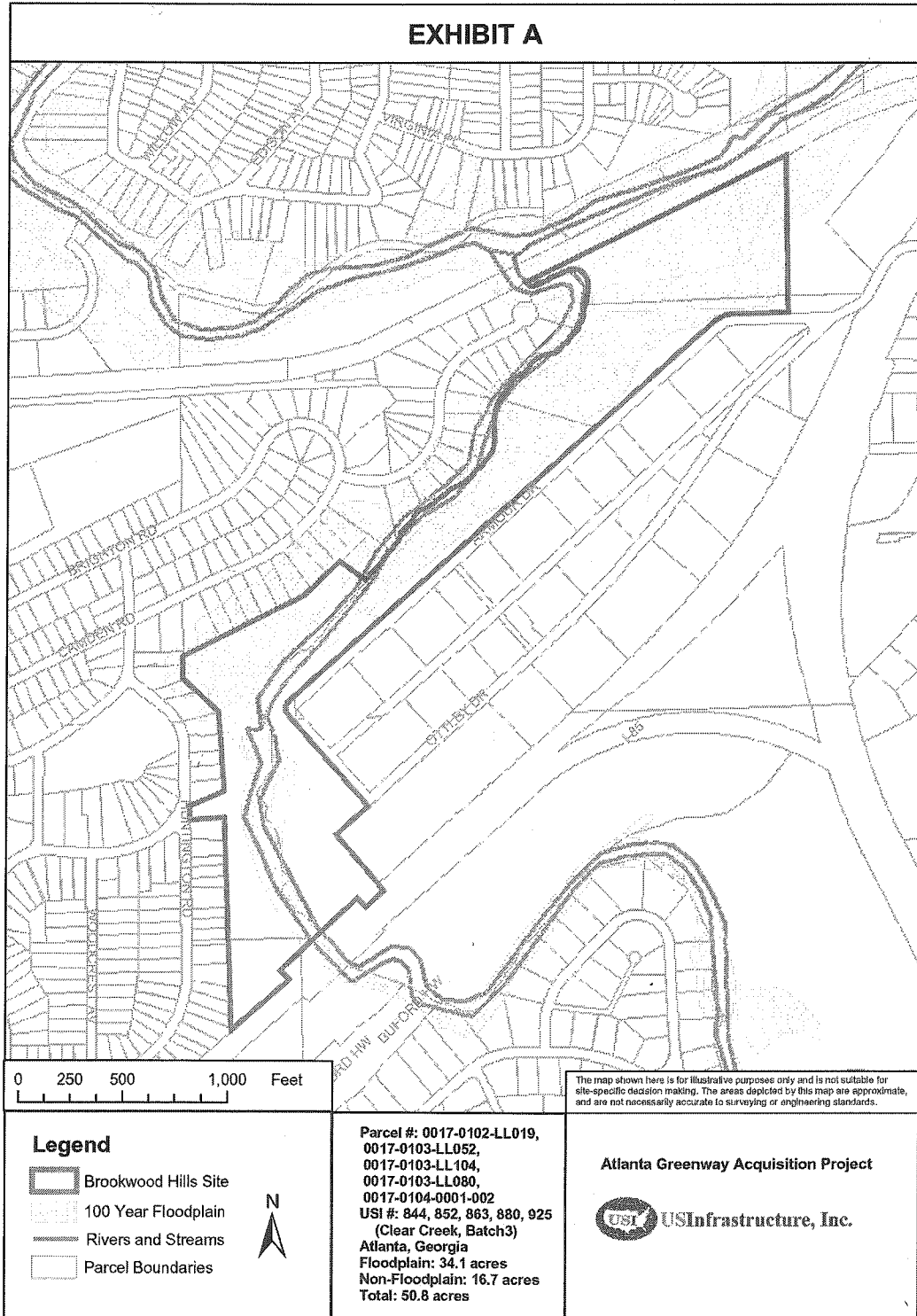
Does the conservation easement lower the market value of the property? The conservation easement is a permanent easement, so it would limit any other potential uses of the property, and therefore its value. That is why the committee and the Board are carefully considering what portions of the Clear Creek property should be subject to the easement. Much of the Clear Creek property is in a floodplain, and likely could not be developed in any event. The most valuable parcels of land from a resale standpoint are an approximately 5-acre parcel of upland next to Armour Circle, and a residential lot on Huntington Road. A conservation easement on these developable tracts would substantially lower their resale value, and the City can afford to pay only a fraction of that diminution; consequently, the committee has suggested that those parcels of land be excluded from any conservation easement, thus leaving the Community Club free to keep, sell, or develop those parcels of land in the future. (This is not to indicate that the Board at present has any plans to sell or develop those parcels – only that they retain the right to do so.)

How does this conservation easement relate to the Beltline (Emerald Necklace)/ Path proposal? The Greenway Acquisition program is entirely separate from the Beltline Path initiative. While the Trust for Public Land (the organization promoting and coordinating the Beltline) has identified Clear Creek as a possible pathway location, any firm decision is at least one or two years away. Selling a conservation easement under the Greenway Acquisition Plan neither increases nor decreases the likelihood that Clear Creek eventually will become part of the Beltline. What a conservation easement will do is ensure that, even if a pathway is added to Clear Creek under the Beltline, the land will stay wooded and cannot be condemned or cleared to make an open-space park.

Where are we now? The Clear Creek committee has engaged an independent real estate appraiser to provide an assessment of the fair market value of the property and the conservation easement. The committee is also considering a range of stabilization and restoration options for the property from qualified specialists to assist in our negotiations and for future use in improving and maintaining the property. Lastly, the committee (which includes several experienced attorneys) has reviewed and is negotiating changes to the conservation easement document to fully reflect our requirements and rights.

The members of the committee believe this is an exciting opportunity for Brookwood Hills, provided the value and final terms are acceptable. We are working to consider all of the aspects, ramifications, and acceptable terms of the agreement so that they can be presented to the neighborhood and then voted on by the Board. If you have any additional questions, concerns, or suggestions please don't hesitate to call or e-mail Nicole Cook (regarding the terms of the easement), 404-892-9495, nicolemiles@comcast.net, Dan Bromstad (regarding the restoration plans), 404-352-9535, Daniel.bromstad@truscocapital.com, or Scott Bass (BWHCC President), 404-355-7887, scott_bass@ml.com.

EXHIBIT A





Having a Party?

Want to use the Park or Pool Pavilion?

Contact BWHCC Reservations line at 404-351-0327

Hours of Operation:

Park: 8:00 a.m. – Dusk

Pool Pavilion: 8:00 a.m. – 10:00 p.m. weekdays (Sunday through Thursday)

8:00 a.m. – 11:00 p.m. weekends (Friday and Saturday)

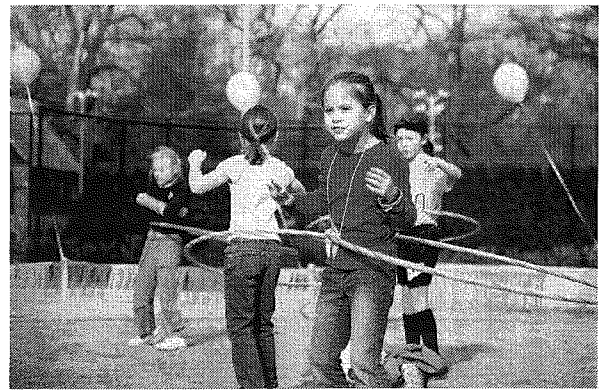
Usage Fees:

| | <u>Attendees</u> | <u>Fee</u> |
|--|------------------|---|
| | 1- 35 | \$35 or \$50 (includes swimming fees) |
| | 36 – 75 | \$100 or \$130 (includes swimming fees) |
| | 76 and up | \$300 or \$390 (includes swimming fees) |

Many Thanks to the BWH Garden Club!!

BWH's Garden Club has begun sponsoring a set of fantastic improvements for our park area. Already you can see its handiwork in our tot lot play area where the club helped to fund a regrading that leveled out uneven, bumpy ground. In addition, its sponsorship will be providing us with more beautiful plantings in the park--prickly plants above the pavilion to keep kids from climbing on the ivy, taller grass in some of entry areas where it tends to get fairly wet after storms and additional plantings to help camouflage the rock barriers constructed after pool floodings last year. The Garden Club hopes to continue to use its resources to help make our community club even more beautiful--thanks to them for their continued efforts and sponsorship!





shutterfly[®]

The Brookwood Hills Social Committee is pleased to offer you the photographs from our Spring Fling on line. Just enter the link below and you can view and purchase the pictures from the party. We hope you enjoy this new offering.

<http://share.shutterfly.com/osi.jsp?i=EeCNGzhw5ZuHHw>

BWH Spring Cocktail Party Saturday May 7 !!!!!!!

Join your friends & neighbors *Saturday May 7 at 7:00 pm* at the home of Lauren & Jim Whitehurst, *114 Brighton Road* for a **BWH Spring Cocktail Party!!** A wonderful evening awaits you filled with fabulous food by many of our local restaurants such as **Restaurant Eugene, Toulouse, Huey's, Eno, Black Bear Tavern** and more! Tickets are \$50 per person and all proceeds benefit Children's Healthcare of Atlanta. This evening is being brought to you by the BWH "FRIENDS" group.

There will be many Special Prize Opportunity items donated by local retailers that you can win for just \$5 per ticket!! In addition, there will be a live wine auction where one lucky person will go home with a large assortment of delicious wines donated from the many neighbors in BWH!

If you would like to make a donation of one bottle of wine to the wine auction, please drop off your bottle to Laura Smith, 80 Huntington Road. Raid your wine cellars or just purchase your favorite bottle from your favorite wine shop!! Be sure to tag your bottle of wine with a note that states your name and any special information that you would like to share about your wine.

All neighbors are invited to attend this wonderful evening, but hurry !!!!! Space is limited!! Questions, call Robin Minson (404) 875-1248 or Laura Smith (404) 875-7041.

Spring is Here! Time to Plant!

Purchase Pike Family Nurseries today. **Sale ends May 1, 2005**, so get yours today! Beautify your yard and raise money for Children's Healthcare of Atlanta.

Contact Kelley Berman, 36 Wakefield Drive, for cards in \$25 or \$50 increments.

404-351-2224

End of Year "FRIENDS" meeting:

Tuesday May 17 at the home of Christy Payne, 210 Brighton Road, 7:00 pm.



CALENDAR

Sunday, April 17— Swim and Dive Team Registration, 1:00-3:00 PM, BWHCC Pool Pavilion

Get your registration packet at www.brookwoodhills.com.

Monday, May 2 — BWHCC Board Meeting, 7:30 PM, at the home of Andrew Whitney, 45 Brighton Road.

Neighborhood residents are welcome.

Saturday, May 7 — BWH Spring Cocktail Party, 7:00 PM, at the home of Lauren and Jim Whitehurst, 114 Brighton Road

Friday, May 13 —BWH New Neighbors and New Members Party, BWHCC Pool Pavilion

Tuesday, May 17 — End of Year "Friends" Meeting, 7:00 PM, at the home of Christy Payne, 210 Brighton Road

N e i g h b o r N e w s

Elizabeth Pope daughter of Ginna and William Pope will be moving into their guest house at 50 Palisades Road N.E. the first of June. Elizabeth got her first degree in "Romantic Languages" (Spanish) last May from UGA. She stayed on to complete her degree in Public Relations which she will receive from the Henry Grady School of Journalism this May. She also took an accelerated course in French, condensing 4 semesters into 1. She will be looking for a job in the Atlanta area. Elizabeth attended Saint Philips pre first, The Westminster Schools 1-8 grade, and Episcopal High School in Alexandria, Virginia. While she was studying at EHS she took a "student year abroad" program where she lived and studied in Zaragoza, Spain. She also took a semester abroad during college in Valencia, Spain. Elizabeth has many friends in Atlanta and hopes to find a job in town after she graduates.

C L A S S I F I E D S

Appliance Repairman Recommendation: If you have a kitchen with appliances that are no longer under warranty, save this name! Kevin Haney of Pro-Line Elite is amazing. He has done repairwork on my Sub-Zero refrigerator, Scottsman ice machine, Asko dishwasher, and Thermador cook-top and vent. (Every time I hear Clark Howard say that high end appliances tend to develop problems I nod in agreement.) He is an authorized repairman for some warranty work as well. Kevin can be reached at (770) 513-8278. Alison Caughman

Wanted: I am looking to purchase a gently used Pool table. If you have one you are interested in selling, please call me. Christy Payne (404) 350-9369.

Housekeeper Recommendation: My wonderful babysitter, who is also an excellent housekeeper, is looking for some additional work cleaning houses in the neighborhood. Bessie Valcarcel is extremely neat and meticulous, very hardworking, and one of the nicest people you could have in your home. Please contact Nancy Field for more information at (404) 352-0877 or call Bessie directly at (404) 931-5909.



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