 <p>Fulton County Board of Commissioners Agenda Item Summary</p>	<p>BOC Meeting Date 3/18/2020</p>
<p>Requesting Agency Real Estate and Asset Management</p>	<p>Commission Districts Affected 1</p>
<p>Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Request approval of a Sewer Easement Dedication of 17,842 square feet to Fulton County, a political subdivision of the State of Georgia from OHC Birmingham, LLC, for the purpose of constructing the Crossroads Project at 0 Birmingham Roswell Road, Milton, Georgia 30004</p>	
<p>Requirement for Board Action <i>(Cite specific Board policy, statute or code requirement)</i> Requirement for Board Action (Cite specific Board policy, statute or code requirement) According to Article XXXIV. – Development Regulations, 34.4.1 Land disturbance permit prerequisites.</p>	
<p>Is this Item related to a Strategic Priority Area? <i>(If yes, note strategic priority area below)</i> Yes All People Trust Government is Effective, Efficient and Fiscally Sound Open and Responsible Government</p>	
<p>Is this a purchasing item? No</p>	
<p>Summary & Background</p>	<p><i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i></p>
<p>Scope of Work: The proposed Crossroads Project, a commercial and medical development, requires a connection to the County's sewer system. Fulton County development regulations require that all new sewer connections acknowledge Fulton County's ownership interests in the area(s) in which a connection is being made to the County's sewer system prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed consists of 17,842 square feet and is located in Land Lot 413 of the 2nd District, 2nd Section of Fulton County, Georgia.</p> <p>Community Impact: The community will benefit from the extension of the County's sewer system and the addition of a new commercial and medical development.</p> <p>Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.</p> <p>Project Implications: Easement dedications by the owner of record to Fulton County are made a</p>	

<p align="center">Agency Director Approval</p>		<p align="center">County Manager's Approval</p>
<p>Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management</p>	<p>Phone 404-612-3772</p>	
<p>Signature</p>	<p>Date</p>	

<p>part of the public record and grant Fulton County access to perform construction, maintenance and upgrades to the sewer system once the proposed improvements are installed.</p> <p>Community Issues/Concerns: None.</p> <p>Department Issues/Concerns: None.</p> <p>History of BOC Agenda Item: None.</p>	
Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	
Joseph N. Davis, Director, Department of Real Estate and Asset Management	404-612-3772	

Revised 03/12/09 (Previous versions are obsolete)

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	.			
Total M/FBE Values	.			
Total Prime Value	.			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> By acceptance of this sewer easement dedication, the County saves land acquisition costs of approximately \$10,850.00				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Sewer Easement Agreement				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Linda Alexander, Real Estate Specialist, Land Division, 404-612-7276				

Agency Director Approval		County Manager's Approval
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	
Signature	Date	

Continued

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.**FINANCIAL SUMMARY**

Total Contract Value:	MBE/FBE Participation:
Original Approved Amount: .	Amount: . %: .
Previous Adjustments: .	Amount: . %: .
This Request: .	Amount: . %: .
TOTAL: .	Amount: . %: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Davis, Joseph	Date: 3/9/2020
X	County Attorney:	Stewart, Denva	Date: 3/8/2020
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 3/9/2020

[BLANK SPACE ABOVE THIS LINE IS FOR THE SOLE USE OF THE CLERK OF SUPERIOR COURT]

THIS DOCUMENT MUST ONLY BE RECORDED BY PERSONNEL OF THE FULTON COUNTY LAND DIVISION

Return Recorded Document to:
 Fulton County Land Division
 141 Pryor Street, S.W. – Suite 8021
 Atlanta, Georgia 30303

Project Name : Crossroads
 Tax Parcel Identification No.: 22 406004130327
 Land Disturbance Permit No.: 19-029WR
 Zoning/Special Use Permit No.: _____
 (if applicable)

For Fulton County Use Only

Approval Date: 2/19/20
 Initials: DOA

**SEWER EASEMENT
 (Corporate Form)**

STATE OF GEORGIA,
 COUNTY OF FULTON

This indenture entered into this 20th day of September, 20 19, between
OHC Birmingham LLC, a corporation duly organized under the
 laws of the State of Georgia, party of the first part (hereinafter referred to as Grantor) and
FULTON COUNTY, a Political Subdivision of the State of Georgia, party of the second part and Grantee.

WITNESSETH, that for and in consideration of \$1.00 in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefits which will accrue to the undersigned from the construction of a sewer line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a sewer line through subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to FULTON COUNTY and to successors and assigns the right, title, and privilege of easements through subject property located in Land Lot(s) 413, 2nd Section (if applicable) of District 2nd, Fulton County, Georgia, and more particularly described as follows: To wit:

CROSSROADS*Project Name***[See Exhibit "A" attached hereto and made a part hereof]**

This right and easement herein granted being to occupy such portion of my property as would be sufficient for the construction, access, maintenance and upgrade of a sewer line through my property according to the location and size of said sewer line as shown on the map and profile now on file in the office of the Public Works Department of Fulton County, and which size and location may be modified from time to time including in the future after the date of this document to accommodate said sewer line within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor hereby conveys and relinquishes to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said sewer line on both a routine and emergency basis.

Said Grantor hereby warrants that it has the right to sell and convey said sewer line easement and right of access and binds itself, its successors and assigns forever to warrant and defend the right and title to the above described sewer line easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

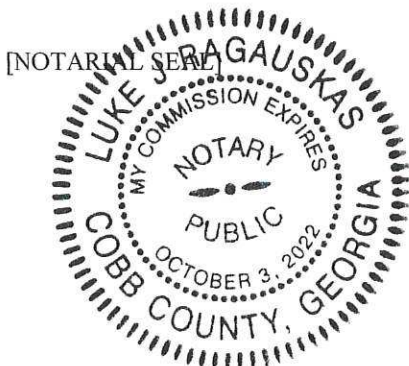
Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the construction, access, upgrade or maintenance of said sewer line for the use of the property as herein agreed.

IN WITNESS HEREOF said party of the first part has hereunto affixed his/her hand and seal on the day and year first above written.

Signed, sealed and delivered this 29th
day of September, 20 19
in the presence of:

Chris Wilson
Witness

[Signature]
Notary Public



GRANTOR: OHC Birmingham LLC
CORPORATE NAME

By: [Signature]
Print Name: William R BRADWELL JR
Title: Manager

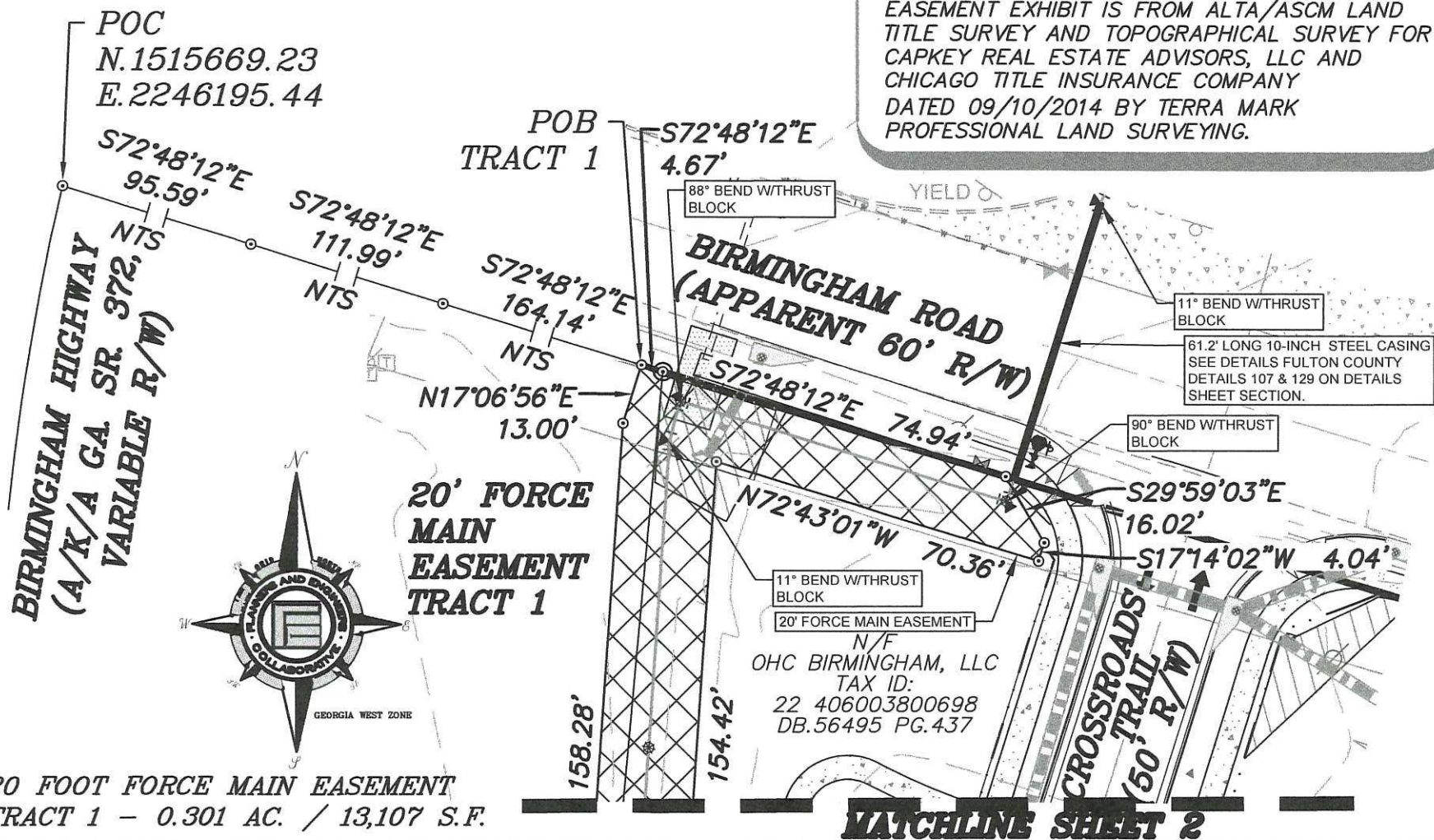
By: _____
Print Name: _____
Title: _____

[CORPORATE SEAL]

SHEET 1 OF 6

NOTES

1. BOUNDARY AND TIE INFORMATION SHOWN ON EASEMENT EXHIBIT IS FROM ALTA/ASCM LAND TITLE SURVEY AND TOPOGRAPHICAL SURVEY FOR CAPKEY REAL ESTATE ADVISORS, LLC AND CHICAGO TITLE INSURANCE COMPANY DATED 09/10/2014 BY TERRA MARK PROFESSIONAL LAND SURVEYING.



PLANNERS AND ENGINEERS COLLABORATIVE

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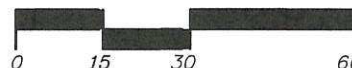


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C.O.A.-LSF000004

20 FOOT FORCE MAIN EASEMENT EXHIBIT FOR:

COUNTY FULTON
STATE OF GEORGIA
CITY OF MILTON
LAND LOT(S) 380 & 413
DISTRICT 2nd, 2nd SECTION

FULTON COUNTY

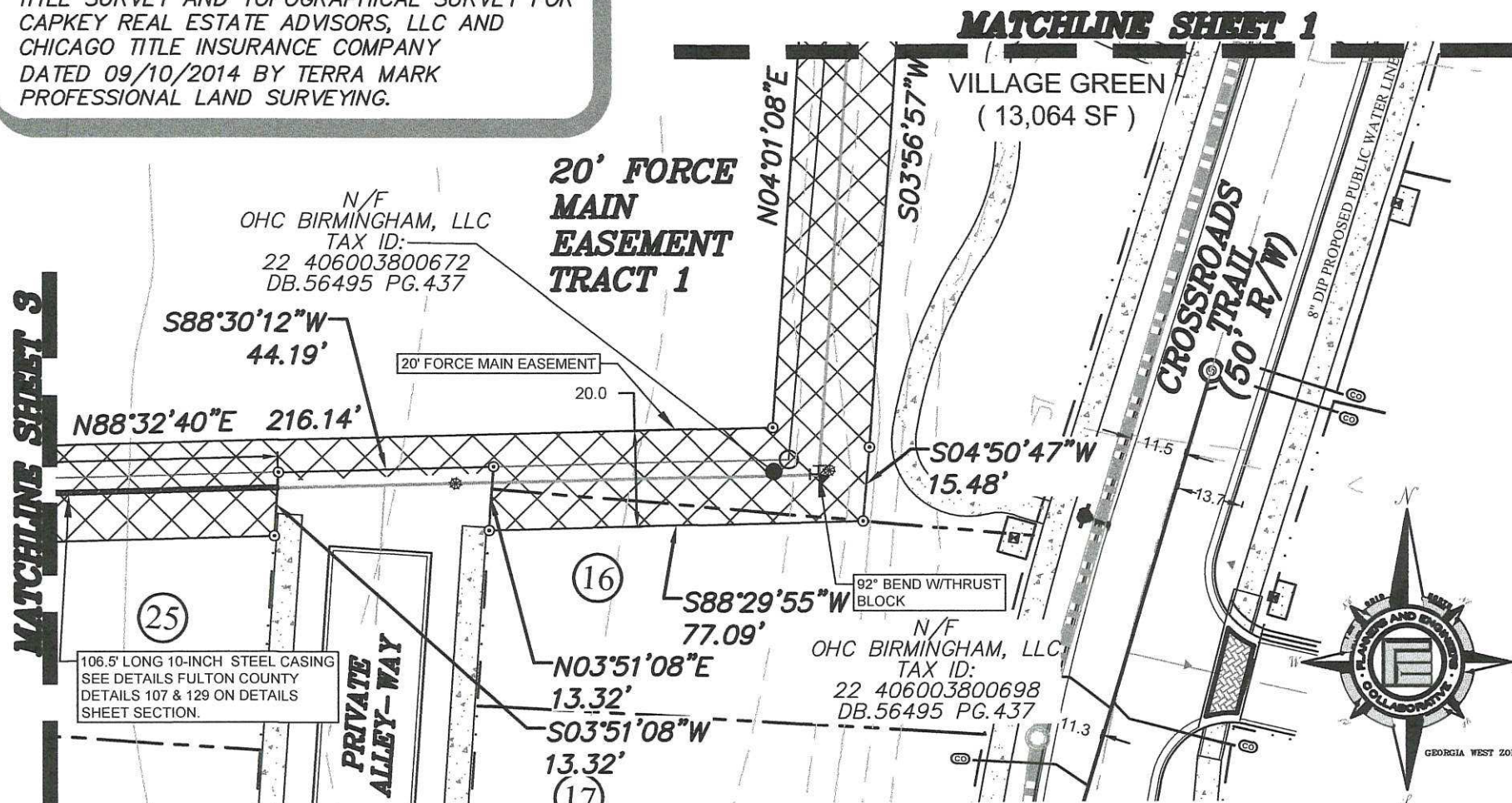


DRAWN BY: MN
CHECKED BY: JH
FILE NO.: 13140.00B
DATE: 09/19/19
SCALE: 1"=30'

1. BOUNDARY AND TIE INFORMATION SHOWN ON
EASEMENT EXHIBIT IS FROM ALTA/ASCM LAND
TITLE SURVEY AND TOPOGRAPHICAL SURVEY FOR
CAPKEY REAL ESTATE ADVISORS, LLC AND
CHICAGO TITLE INSURANCE COMPANY
DATED 09/10/2014 BY TERRA MARK
PROFESSIONAL LAND SURVEYING.

20 FOOT FORCE MAIN EASEMENT
TRACT 1 - 0.301 AC. / 13,107 S.F.

SHEET 2 OF 6



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FULTON COUNTY

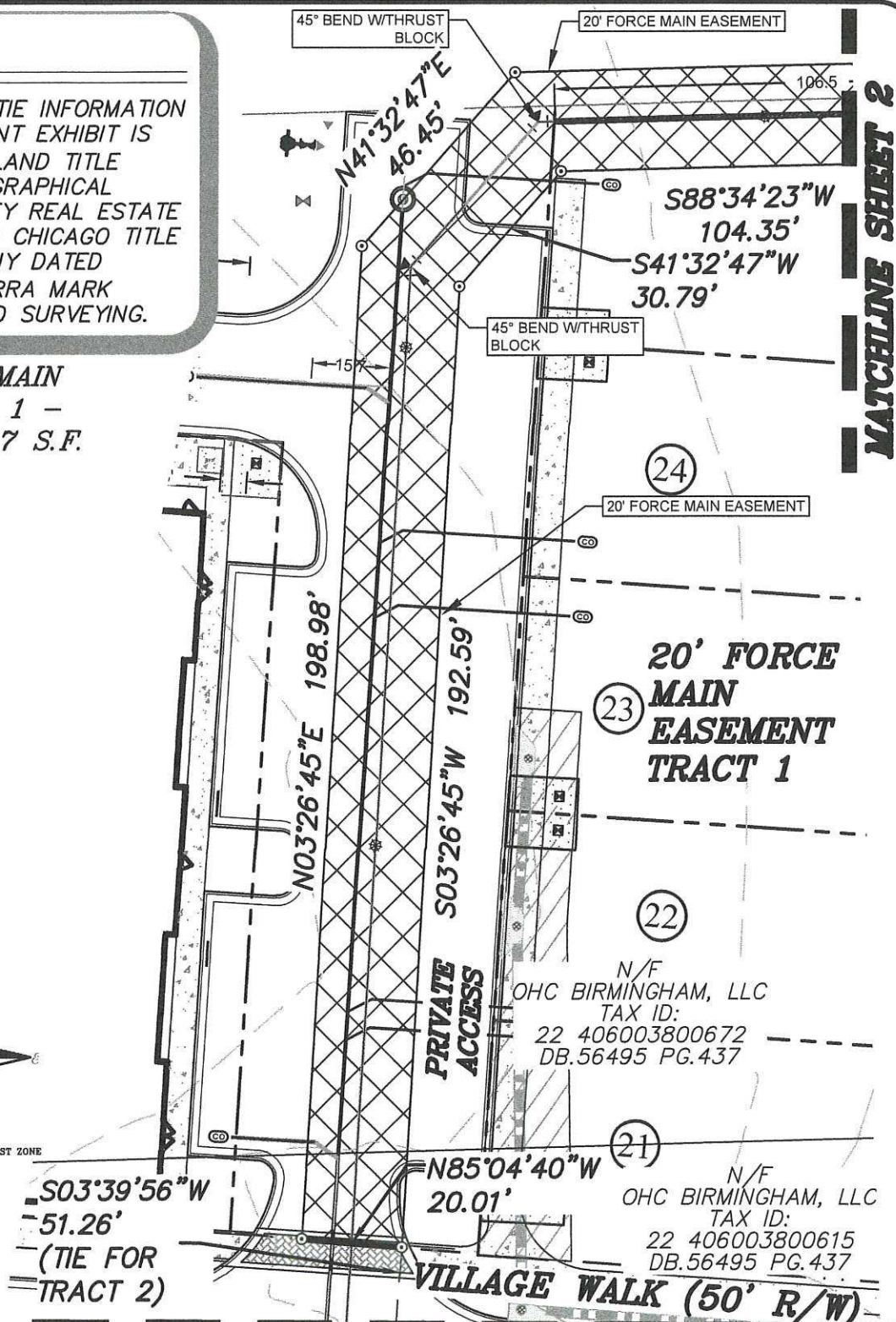


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NOTES

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**20 FOOT FORCE MAIN
EASEMENT TRACT 1 –
0.301 AC. / 13,107 S.F.**

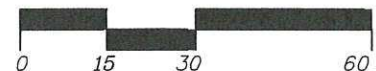
**SHEET 3 OF 6****MATCHLINE SHEET 4****PLANNERS AND ENGINEERS COLLABORATIVE****"WE PROVIDE SOLUTIONS"**

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MATCHLINE SHEET 3**SHEET 4 OF 6****VILLAGE WALK (50' R/W)**S84°56'09"E
20.00'90° BEND WITHRUST
BLOCKS03°39'56"W
51.26'
(TIE)**POB
TRACT 2**
(1)

20' FORCE MAIN EASEMENT

NOTES

1. BOUNDARY AND TIE INFORMATION SHOWN ON EASEMENT EXHIBIT IS FROM ALTA/ASCM LAND TITLE SURVEY AND TOPOGRAPHICAL SURVEY FOR CAPKEY REAL ESTATE ADVISORS, LLC AND CHICAGO TITLE INSURANCE COMPANY DATED 09/10/2014 BY TERRA MARK PROFESSIONAL LAND SURVEYING.

**20' FORCE
MAIN
EASEMENT
TRACT 2**

N03°47'05"E 179.83'

S03°47'28"W 199.28'

N/F
OHC BIRMINGHAM, LLC
TAX ID:
22 406003800615
DB.56495 PG.437PRIVATE
SANITARY
SEWER
LIFT
STATIONS86°30'36"E
37.34'N/F
OHC BIRMINGHAM, LLC
TAX ID:
22 406004130327
DB.56495 PG.437N03°44'55"E
20.00'N86°30'36"W
57.30'

20' FORCE MAIN EASEMENT

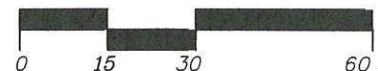
90° BEND WITHRUST
BLOCK**20 FOOT FORCE MAIN EASEMENT
TRACT 2 - 0.109 AC. / 4,735 S.F.****PLANNERS AND ENGINEERS COLLABORATIVE****"WE PROVIDE SOLUTIONS"**

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EXHIBIT FOR:
FULTON COUNTY**

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CHECKED BY: JH
FILE NO.: 13140.00B
DATE: 09/19/19
SCALE: 1"=30'



TRACT 1 LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 380 of the 2nd District, City of Milton, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at a point at the intersection of the Easterly Right of Way Line of Birmingham Highway (A/K/A GA. SR. 372, Variable R/W) and the Southerly Right of Way Line of the Birmingham Road (Apparent 60' R/W); thence leaving said intersection and following along said Southerly Right of Way Line of Birmingham Road the following courses and distances: thence South 72 degrees 48 minutes 12 seconds East, a distance of 95.59 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 111.99 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 164.14 feet to a point which is the TRUE POINT OF BEGINNING.

Thence continuing along said Southerly Right of Way Line of Birmingham Road South 72 degrees 48 minutes 12 seconds East, a distance of 4.67 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 74.94 feet to a point at the intersection of the Southerly Right of Way Line of Birmingham Road and the Westerly Mitered Right of Way Line of Crossroads Trail (50' R/W); thence leaving said Southerly Right of Way Line of Birmingham Road and following along the Westerly Mitered Right of Way Line of Crossroads Trail South 29 degrees 59 minutes 03 seconds East, a distance of 16.02 feet to a point; thence leaving said Westerly Mitered Right of Way Line of Crossroads Trail South 17 degrees 14 minutes 02 seconds West, a distance of 4.04 feet to a point; thence North 72 degrees 43 minutes 01 seconds West, a distance of 70.36 feet to a point; thence South 03 degrees 56 minutes 57 seconds West, a distance of 154.42 feet to a point; thence South 04 degrees 50 minutes 47 seconds West, a distance of 15.48 feet to a point; thence South 88 degrees 29 minutes 55 seconds West, a distance of 77.09 feet to a point on the easterly line of a private alley-way; thence following along the easterly line of a private alley-way North 03 degrees 51 minutes 08 seconds East, a distance of 13.32 feet to a point at the intersection of the easterly line of a private alley-way and the northerly line of a private alley-way; thence leaving said easterly line of a private alley-way and following along said northerly line of a private alley-way South 88 degrees 30 minutes 12 seconds West, a distance of 44.19 feet to a point at the intersection of said northerly line of a private alley-way and the westerly line of a private alley-way; thence leaving said northerly line of a private alley-way and following along said westerly line of a private alley-way South 03 degrees 51 minutes 08 seconds West, a distance of 13.32 feet to a point; thence leaving said westerly line of a private alley-way South 88 degrees 34 minutes 23 seconds West, a distance of 104.35 feet to a point; thence South 41 degrees 32 minutes 47 seconds West, a distance of 30.79 feet to a point; thence South 03 degrees 26 minutes 45 seconds West, a distance of 192.59 feet to a point on the Northerly Right of Way Line of Village Walk (50' R/W); thence following along the Northerly Right of Way Line of Village Walk North 85 degrees 04 minutes 40 seconds West, a distance of 20.01 feet to a point; thence leaving said Northerly Right of Way Line of Village Walk North 03 degrees 26 minutes 45 seconds East, a distance of 198.98 feet to a point; thence North 41 degrees 32 minutes 47 seconds East, a distance of 46.45 feet to a point; thence North 88 degrees 32 minutes 40 seconds East, a distance of 216.14 feet to a point; thence North 04 degrees 01 minutes 08 seconds East, a distance of 158.28 feet to a point; thence North 17 degrees 06 minutes 56 seconds East, a distance of 13.00 feet to a point on said Southerly Right of Way of Birmingham Road which is the true point of beginning.

Said Tract 1 having an area of 13,107 square feet, 0.301 acres more or less.

SHEET 5 OF 6**PLANNERS AND ENGINEERS COLLABORATIVE**

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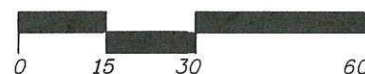


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**20 FOOT FORCE MAIN EASEMENT
LEGAL DESCRIPTION FOR:
FULTON COUNTY**

DRAWN BY: MN
CHECKED BY: JH
FILE NO.: 13140.00B
DATE: 09/19/19
SCALE: 1"=30'



TRACT 2 LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 380 & 413 of the 2nd District, City of Milton, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at a point at the intersection of the Easterly Right of Way Line of Birmingham Highway (A/K/A GA. SR. 372, Variable R/W) and the Southerly Right of Way Line of the Birmingham Road (Apparent 60' R/W); thence leaving said intersection and following along said Southerly Right of Way Line of Birmingham Road the following courses and distances: thence South 72 degrees 48 minutes 12 seconds East, a distance of 95.59 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 111.99 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 164.14 feet to a point which is the TRUE POINT OF BEGINNING.

Thence continuing along said Southerly Right of Way Line of Birmingham Road South 72 degrees 48 minutes 12 seconds East, a distance of 4.67 feet to a point; thence South 72 degrees 48 minutes 12 seconds East, a distance of 74.94 feet to a point at the intersection of the Southerly Right of Way Line of Birmingham Road and the Westerly Mitered Right of Way Line of Crossroads Trail (50' R/W); thence leaving said Southerly Right of Way Line of Birmingham Road and following along the Westerly Mitered Right of Way Line of Crossroads Trail South 29 degrees 59 minutes 03 seconds East, a distance of 16.02 feet to a point; thence leaving said Westerly Mitered Right of Way Line of Crossroads Trail South 17 degrees 14 minutes 02 seconds West, a distance of 4.04 feet to a point; thence North 72 degrees 43 minutes 01 seconds West, a distance of 70.36 feet to a point; thence South 03 degrees 56 minutes 57 seconds West, a distance of 154.42 feet to a point; thence South 04 degrees 50 minutes 47 seconds West, a distance of 15.48 feet to a point; thence South 88 degrees 29 minutes 55 seconds West, a distance of 77.09 feet to a point on the easterly line of a private alley-way; thence following along the easterly line of a private alley-way North 03 degrees 51 minutes 08 seconds East, a distance of 13.32 feet to a point at the intersection of the easterly line of a private alley-way and the northerly line of a private alley-way; thence leaving said easterly line of a private alley-way and following along said northerly line of a private alley-way South 88 degrees 30 minutes 12 seconds West, a distance of 44.19 feet to a point at the intersection of said northerly line of a private alley-way and the westerly line of a private alley-way; thence leaving said northerly line of a private alley-way and following along said westerly line of a private alley-way South 03 degrees 51 minutes 08 seconds West, a distance of 13.32 feet to a point; thence leaving said westerly line of a private alley-way South 88 degrees 34 minutes 23 seconds West, a distance of 104.35 feet to a point; thence South 41 degrees 32 minutes 47 seconds West, a distance of 30.79 feet to a point; thence South 03 degrees 26 minutes 45 seconds West, a distance of 192.59 feet to a point on the Northerly Right of Way Line of Village Walk (50' R/W); thence leaving said Northerly Right of Way of Village Walk South 03 degrees 39 minutes 56 seconds West, a distance of 51.26 feet to a point on the Southerly Right of Way Line of Village Walk which is the TRUE POINT OF BEGINNING.

Thence leaving said Southerly Right of Way Line of Village Walk South 03 degrees 47 minutes 28 seconds West, a distance of 199.28 feet to a point; thence North 86 degrees 30 minutes 36 seconds West, a distance of 57.30 feet to a point; thence North 03 degrees 44 minutes 55 seconds East, a distance of 20.00 feet to a point; thence South 86 degrees 30 minutes 36 seconds East, a distance of 37.34 feet to a point; thence North 03 degrees 47 minutes 05 seconds East, a distance of 179.83 feet to a point on said Southerly Right of Way Line of Village Walk; thence South 84 degrees 56 minutes 09 seconds East, a distance of 20.00 feet to a point which is the TRUE POINT OF BEGINNING.

Said Tract 2 having an area of 4,735 square feet, 0.109 acres more or less.

SHEET 6 OF 6**PLANNERS AND ENGINEERS COLLABORATIVE**

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