

BOC Meeting Date
10/7/2020**Requesting Agency**

Real Estate and Asset Management

Commission Districts Affected

2

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Water Vault Easement Dedication of 169 square feet to Fulton County, a political subdivision of the State of Georgia, from C&G Land, LLC, for the purpose of constructing the North Fulton Compounding Pharmacy Project at 305 Main Street, Alpharetta, Georgia 30009.

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.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes Open and Responsible Government

Is this a purchasing item?

No

Summary & Background*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The proposed North Fulton Compounding Pharmacy Project, a commercial pharmacy development, requires the installation of a water vault. Fulton County development regulations require that all new water line connections acknowledge Fulton County's legal access to the area(s) in which a water service line connection is being made prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed to the County consists of 169 square feet and is located Land Lot 693 of the 1st District, 2nd Section of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's water system and the addition of a new commercial pharmacy.

Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.

Project Implications: Easement dedications by the owner of record to Fulton County are made a part of the public record and grant Fulton County access to perform construction, maintenance and upgrades to the water system once the proposed improvements are installed.

Community Issues/Concerns: None.

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**

Department Issues/Concerns: None.

History of BOC Agenda Item: None.

Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>
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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)

20-0679

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 water vault easement dedication, the County saves land acquisition costs of approximately \$2,000.00.				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Water Vault Easement Agreement				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Linda DuBose 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	

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

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: 9/8/2020
X	County Attorney:	Stewart, Denva	Date: 9/8/2020
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 9/15/2020

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

THIS DOCUMENT MAY BE RECORDED ONLY 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 : North Fulton Compounding Pharmacy
 Tax Parcel Identification No.: 12-2581-0693-061-2
 Land Disturbance Permit No.: D190041
 Zoning/Special Use Permit No.: _____
 (if applicable)

For Fulton County Use Only

Approval Date: _____
 Initials: _____

**WATER VAULT EASEMENT
 (Corporate Form)**

STATE OF GEORGIA,
 COUNTY OF FULTON

This indenture entered into this 20th day of July, 20 20, between C&G Land, LLC, a limited liability company 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.

WITNESSETH, that for and in consideration of \$1.00 cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefit which will accrue to the undersigned from the installation of a water vault, water meter, and appurtenances on subject property, and in consideration of the benefits which will accrue to the subject property from the installation of a water vault, water meter, and appurtenances on the subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to the party of the second part and to successors and assigns the right, title, and privilege of an easement on subject property located in land lot(s) 693 of the 1st District, 2nd Section (if applicable) of Fulton County, Georgia, and more particularly described as follows: To wit:

North Fulton Compounding Pharmacy

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, installation, access, maintenance and upgrade of a water vault, water meter and appurtenances according to the location and size of said water vault, water meter and appurtenances as shown on the map 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 water vault, water meter and appurtenances within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor(s) hereby convey and relinquish to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on the water vault structure, water meter and appurtenances on both a routine and emergency basis.

Grantor hereby warrants that it has the right to sell and convey this 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 water vault easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

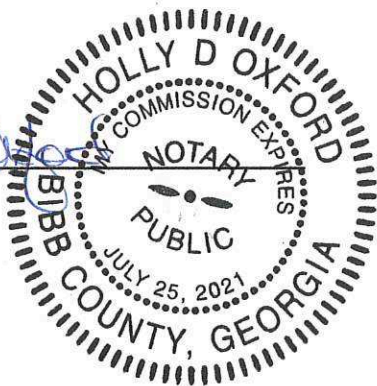
Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the installation, access, upgrade or maintenance of said water vault, water meter and appurtenances for the use of the property as herein agreed.

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

Signed, sealed and delivered this 20
day of July, 20 20
in the presence of:

Jellis Grant
Witness

[Signature]
Notary Public



[NOTARIAL SEAL]

GRANTOR: C&G Land, LLC

By: *[Signature]*

Print Name: Tarva S. Morgan

Title: Managing Member

By: _____

Print Name: _____

Title: _____

[CORPORATE SEAL]

EXHIBIT "A"
LEGAL DESCRIPTIONDeed Book 60804 Pg 419
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

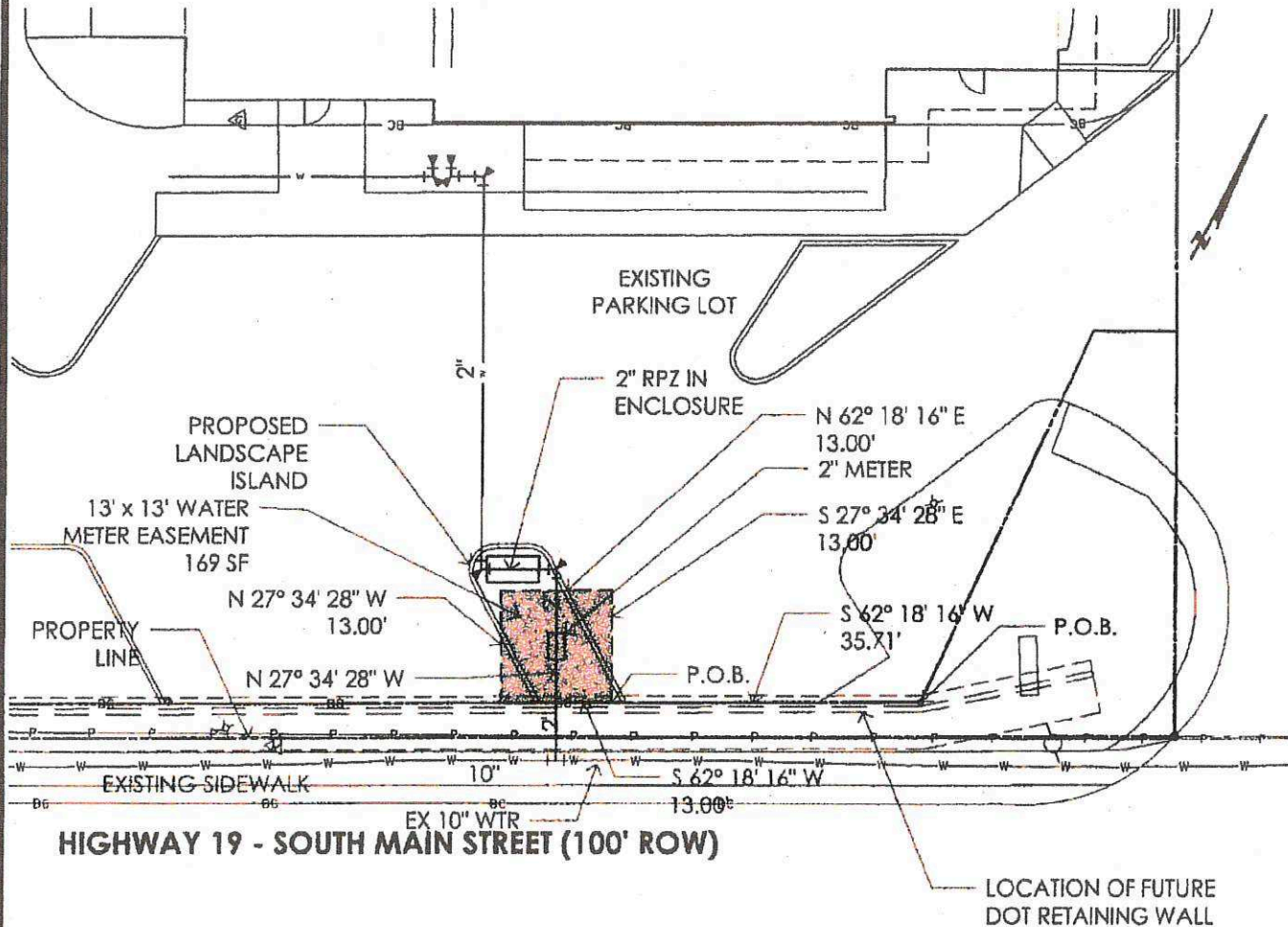
All that tract or parcel of land lying and being in Land Lot 693 of the 1st District, 2nd Section of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located on the northwesterly right-of-way line of State Highway No. 9 (a variable right-of-way), 278.5 feet southwesterly, as measured along the northwesterly right-of-way line of State Highway No. 9, from the point formed by the intersection of the northwesterly right-of-way line of State Highway 9 with the centerline of Roswell Street (a 40 foot right-of-way); thence South 62 degrees 21 minutes 31 seconds west, along the northwesterly right-of-way line of State Highway No. 9, 203.09 feet to an iron pin; thence North 25 degrees 05 minutes 24 seconds west, 182.92 feet to an iron pin; thence North 07 degrees 38 minutes 49 seconds west, 28.0 feet to an iron pin; thence North 82 degrees 21 minutes 11 seconds east, 55.73 feet to an iron pin; thence North 62 degrees 21 minutes 31 seconds east, 133.0 feet to an iron pin; thence South 27 degrees 38 minutes 29 seconds east, 190.0 feet to an iron pin located on the northwesterly right-of-way line of said Highway No. 9 and THE POINT OF BEGINNING; said tract containing 0.880 acres of land as shown and delineated on a plat of survey prepared for McDonald's Corporation by Watts & Browning, Engineers, dated April 11, 1987.

LESS AND EXCEPT property described in Right of Way Deed and Permanent Easement for Slopes and Utilities and Temporary Driveway Easement from McDonald's Corporation, A Delaware corporation to Department of Transportation, dated October 4, 2018, filed October 17, 2018 and recorded in Deed Book 59324, Page 360, aforesaid records.

PROJECT INFO:

1. 305 S MAIN STREET
2. ADDRESS: 305 S MAIN STREET * ALPHARETTA, GA 30009
3. OWNER: NORTH FULTON COMPOUNDING PHARMACY
11940 ALPHARETTA HIGHWAY * SUITE 106 * ALPHARETTA, GA 30009
4. PARCELS: 11 106003800341 & 11 106003810357



Metes and Bounds Legal Description of Easement Area on Following Page

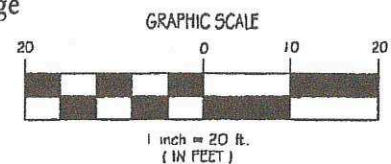


EXHIBIT A

WATER METER EASEMENT

Pharr Engineering

SCALE: AS SHOWN DATE: 5/20/20

305 S MAIN STREET

BUILDING RECONSTRUCTION
ALPHARETTA, GEORGIA

N FULTON COMPOUNDING PHARMACY

11940 Alpharetta Highway * Suite 106 * Alpharetta, GA 30009