



Fulton County Board of Commissioners  
**Agenda Item Summary**

# 20-0674

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 323.5 square feet to Fulton County, a political subdivision of the State of Georgia from Crabapple Ventures, LLC, for the purpose of constructing the Town Center East Project at 850 Mayfield Road, Milton, Georgia 30009.

**Requirement for Board Action** *(Cite specific Board policy, statute or code requirement)*

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 Town Center East Project, an office/retail building 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 323.5 square feet and is located Land Lot 119 of the 2nd 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 office/retail building development with parking.

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.

<b>Contract &amp; Compliance Information</b>	<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)

**# 20-0674**

<b>Solicitation Information</b>	<b>NON-MFBE</b>	<b>MBE</b>	<b>FBE</b>	<b>TOTAL</b>
No. Bid Notices Sent:				
No. Bids Received:				
<b>Total Contract Value</b>	.			
<b>Total M/FBE Values</b>	.			
<b>Total Prime Value</b>	.			
<b>Fiscal Impact / Funding Source</b> <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 \$300.00.				
<b>Exhibits Attached</b> <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Water Vault Easement Agreement				
<b>Source of Additional Information</b> <i>(Type Name, Title, Agency and Phone)</i> Linda Alexander, Real Estate Specialist, Land Division, 404-612-7276				

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

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

Continued

**Procurement**

<b>Contract Attached:</b> .	<b>Previous Contracts:</b> .		
<b>Solicitation Number:</b> .	<b>Submitting Agency:</b> .	<b>Staff Contact:</b> .	<b>Contact Phone:</b> .

**Description:.****FINANCIAL SUMMARY**

<b>Total Contract Value:</b>	<b>MBE/FBE Participation:</b>
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 \$: .		

<b>Funding Line 1:</b> .	<b>Funding Line 2:</b> .	<b>Funding Line 3:</b> .	<b>Funding Line 4:</b> .
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**KEY CONTRACT TERMS**

<b>Start Date:</b> .	<b>End Date:</b> .
<b>Cost Adjustment:</b> .	<b>Renewal/Extension Terms:</b> .

**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 : Town Center East  
 Tax Parcel Identification No.: 22 416111 340081  
 Land Disturbance Permit No.: 18MLT-CLDP00007  
 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 5TH day of MAY, 2020, between CRABAPPLE VENTURES 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.

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) \_\_\_\_\_ of the \_\_\_\_\_ District, \_\_\_\_\_ Section (if applicable) of Fulton County, Georgia, and more particularly described as follows: To wit:

TOWN CENTER EAST

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 28  
day of April, 20 20  
in the presence of:

LIE Proulx  
Witness

Pamela Dekker  
Notary Public

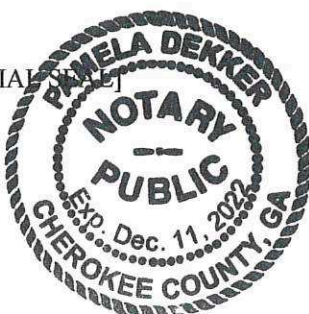
GRANTOR: CRABAPPLE VENTURES LLC  
CORPORATE NAME

By: [Signature]  
Print Name: R. J. GASTON  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[CORPORATE SEAL]

[NOTARIAL SEAL]

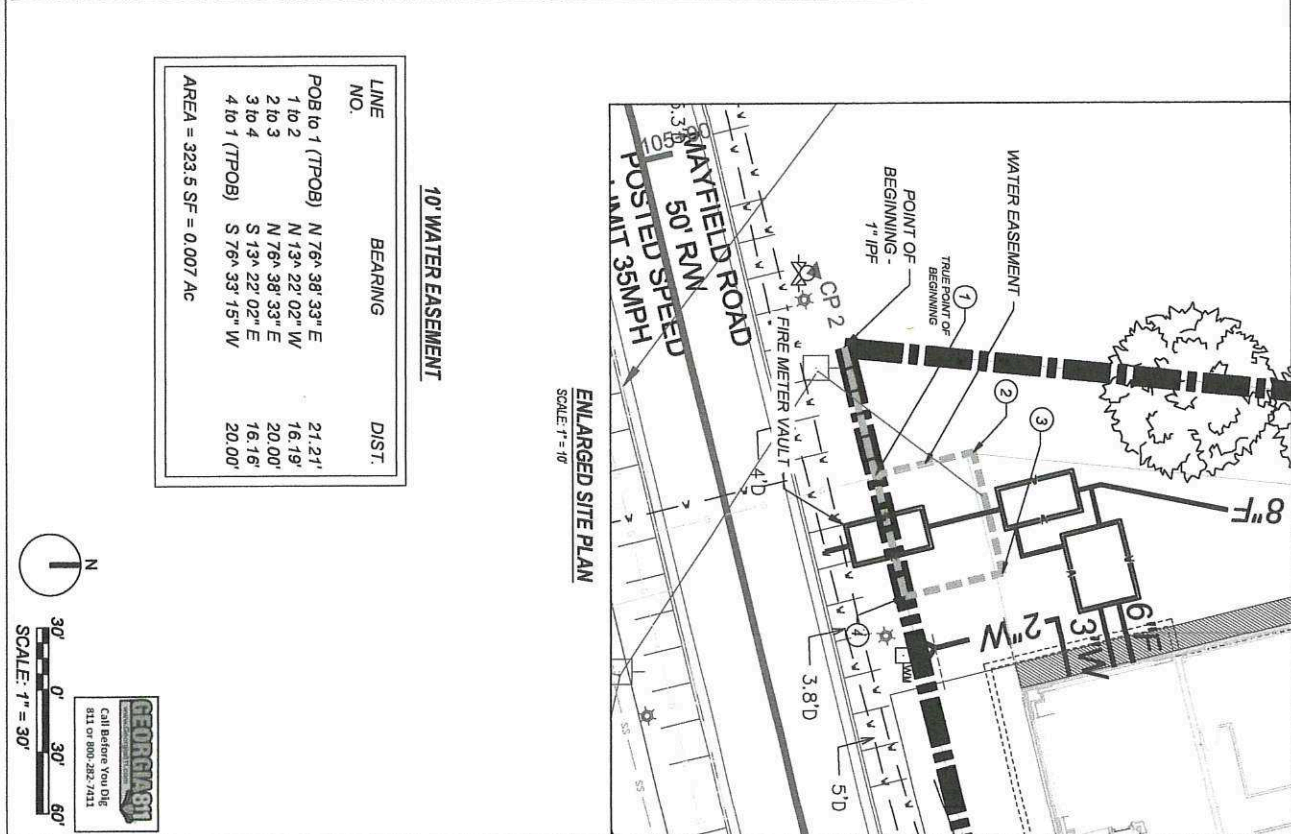
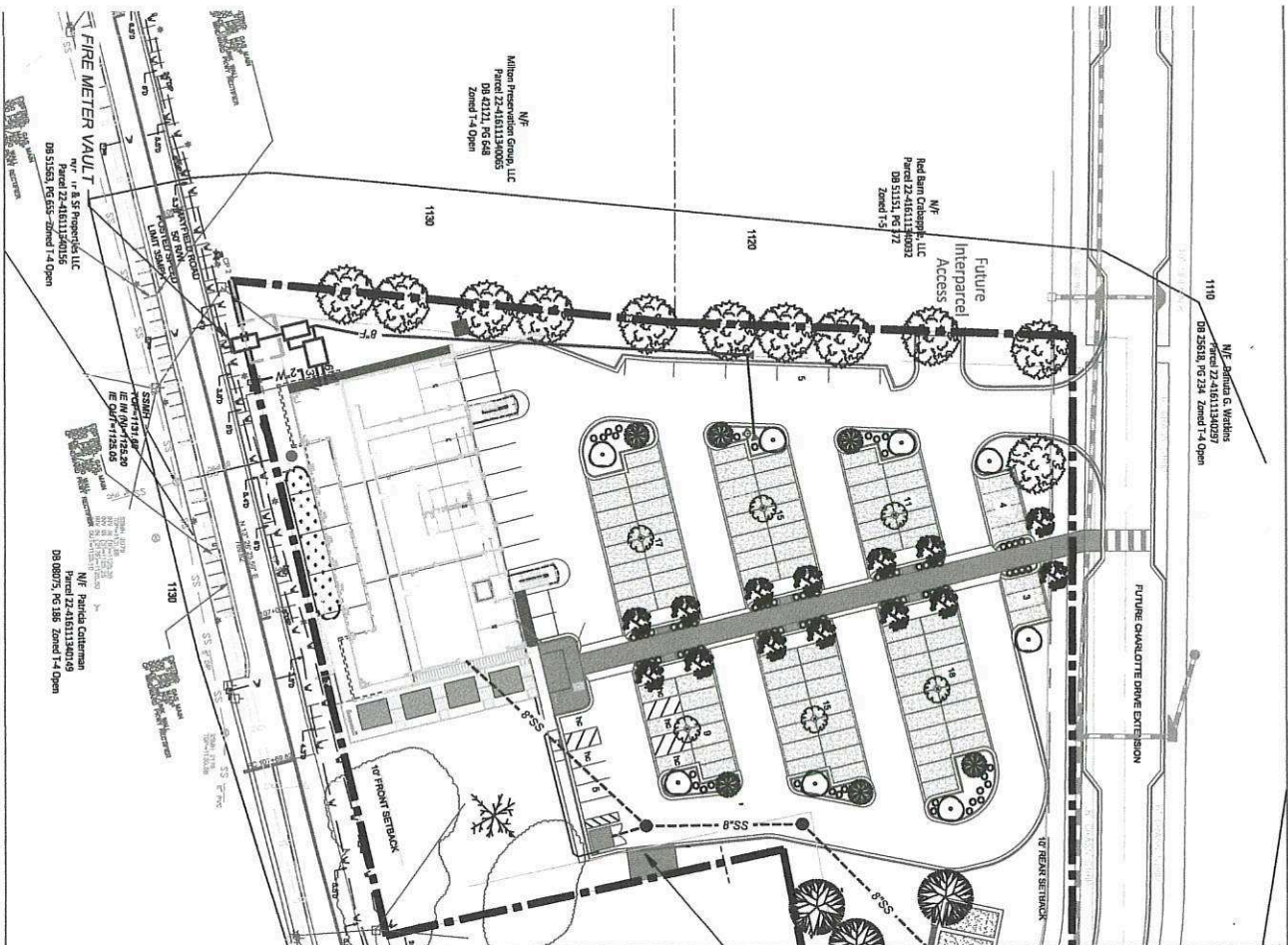


**EXHIBIT A – 10' WATER EASEMENT**

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF THE PROPERTY (1" REBAR IPF, ALONG MAYFIELD ROAD) THENCE NORTH 76 DEGREES, 38 MINUTES, 33 SECONDS EAST A DISTANCE OF 21.21' TO A POINT, WHICH IS THE TRUE POINT OF BEGINNING, THENCE NORTH 13 DEGREES, 22 MINUTES, 02 SECONDS WEST A DISTANCE OF 16.19' TO A POINT, THENCE NORTH 76 DEGREES, 38 MINUTES, 33 SECONDS EAST A DISTANCE OF 20.00' TO A POINT, THENCE SOUTH 13 DEGREES, 22 MINUTES, 02 SECONDS EAST A DISTANCE OF 16.16' TO A POINT, THENCE SOUTH 76 DEGREES, 33 MINUTES, 15 SECONDS WEST A DISTANCE OF 20.00' TO A POINT, WHICH IS THE TRUE POINT OF BEGINNING;

SAID TRACT OR PARCEL OF LAND CONTAINS 0.007 ACRES AND IS DEPICTED ON THAT EASEMENT EXHIBIT A, PAGE 2 OF 2 BY JONES CONSULTING GROUP, LLC, CERTIFIED BY VICTOR C. JONES PE 024415, DATED FEBRUARY 17, 2020.





**EXHIBIT A**  
**10' WATER LINE EASEMENT**  
**PAGE 2 OF 2**

TOWN CENTER EAST  
850 & 850 MAYFIELD ROAD  
MILTON, GEORGIA  
LL 1134, 2nd DISTRICT, 2nd SECTION  
PARCEL ID# 22 416111340073 & 22 416111340081  
Fulton County Project Number: 19-6129VR

NO.	DATE	BY	CHK	APVD
1	02-17-20			
2	09-04-19			
3	08-02-19			
4	07-05-19			
5	04-19-19			

DATE: FEB 17, 2020  
PROJECT: 10027.003  
SHEET: EXH. A

CONTRACT NO. 10027.003  
DATE: FEB 17, 2020  
PROJECT: 10027.003

GEORGIA  
CALL BEFORE YOU DIG  
811 OR 800-382-7411