

**After recording, please return to:
The Samuels Firm
Dale R. "Bubba" Samuels, LLC
Post Office Box 1926
Buford, Georgia 30515**

**GEORGIA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY DEED
600 W. Peachtree NW, Suite 1400, Atlanta, GA 30308**

GEORGIA, _____ COUNTY

PROJECT NO. MSL00-0001-00(757)
P.I. NO. 0001757

THIS CONVEYANCE made and executed the ____ day of _____, 2023.

WITNESSETH that Fulton County, a political subdivision, the undersigned, (hereinafter referred to as 'Grantor'), is the owner of a tract of land in Fulton County on the SR 400 from I285/Fulton to McFarland Road/Forsyth-Express Lanes, known as Project No. MSL00-0001-00(757) has been laid out by the Department of Transportation being more particularly described in a map and drawing of said road in the office of the Department of Transportation, 600 West Peachtree St., Atlanta, Georgia, 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 ONE DOLLAR (\$1.00), in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant, sell and convey to said Department of Transportation, 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:

All that tract or parcel of land lying and being in Land Lots 529, 530, 535, 536 of the 1st Land District 2nd Section of Fulton County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereto by this reference.

Said right of way is hereby conveyed, consisting of 0.093 acres, more or less, as shown colored yellow on the plat of the property prepared by the Department of Transportation, dated April 13, 2021; said plat attached hereto and made a part of this deed as Exhibit "B".

For the same consideration Grantor hereby conveys and relinquishes to the Department of Transportation all rights of access between the limited access highway and approaches thereto on the above numbered highway project and Grantor's remaining real property from which said right of way is taken except at such points as designated and shown on the attached plat prepared by the Department of Transportation said right being 270.68 linear feet.

Fulton County and the Georgia Department of Transportation acknowledge that Fulton County that has two encroachments within the right of way of State Route 400 onsite at the subject property. Fulton County's driveway access and onsite surface storage will be permitted encroachments until such time that these areas are required for the improvement of State Route 400. Should it become necessary that these encroachments be removed and or altered Fulton County will be responsible for the removal of all items onsite within the existing right of way and the alteration of its driveway access at no cost or liability to the Georgia Department of Transportation.

TO HAVE AND TO HOLD the said conveyed premises in fee simple and any rights Grantor has or may have in and to existing public rights of way are hereby quitclaimed and conveyed unto the Department of Transportation. 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 WITNESSETH WHEREOF, Grantor has hereunto set his hand and seal the day above written.

Fulton County, a political subdivision of the State of Georgia

Signed, sealed and delivered this ____ day
of _____, 2023
in the presence of:

By: _____
Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Witness

Attest: _____
Tonya R. Grier
Clerk to the Commission

[Notarial Seal]

APPROVED AS TO FORM

Y. Soo Jo, County Attorney

EXHIBIT "A"

PROJECT NO.: MSL00-0001-00(757)
P. I. NO.: 0001757
PARCEL NO.: 467
COUNTY: Fulton
DATE OF R/W PLANS: April 13, 2021
REVISION DATE: N/A

All that tract or parcel of land lying and being in Land Lots 529, 530, 535, 536 of the 1st Land District 2nd Section of Fulton County, Georgia, being more particularly described as follows:

Right of Way

Beginning at a point 178.46 feet left of and opposite Station 381+70.13 on the construction centerline of SR 400 CL on Georgia Highway Project No. MSL00-0001-00(757); running thence N 18°26'18.7" E a distance of 208.30 feet to a point 224.87 feet left of and opposite station 383+73.19 on said construction centerline laid out for SR400 Existing Mainline; thence N 19°19'50.0" E a distance of 27.41 feet to a point 230.56 feet left of and opposite station 384+00.00 on said construction centerline laid out for SR400 Existing Mainline; thence S 58°41'10.4" E a distance of 34.97 feet to a point 195.59 feet left of and opposite station 384+00.00 on said construction centerline laid out for SR400 Existing Mainline; thence S 27°03'02.6" W a distance of 230.51 feet back to the point of beginning. **Consisting of 0.093 acres more or less.**

Limited Access

Here in granted are 270.68 linear feet of access rights. Beginning at a point 178.46 feet left of and opposite Station 381+70.13 on the construction centerline of SR 400 CI on Georgia Highway Project No. MSL00-0001-00(757); running thence N 18°26'18.7" E a distance of 208.30 feet to a point 224.87 feet left of and opposite station 383+73.19 on said construction centerline laid out for SR400 Existing Mainline; thence N 19°19'50.0" E a distance of 27.41 feet to a point 230.56 feet left of and opposite station 384+00.00 on said construction centerline laid out for SR400 Existing Mainline; thence S 58°41'10.4" E a distance of 34.97 feet to an end point 195.59 feet left of and opposite station 384+00.00 on said construction centerline laid out for SR400 Existing Mainline