



Fulton County Board of Commissioners
Agenda Item Summary

20-0193

BOC Meeting Date
3/18/2020

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 99.0 square feet to Fulton County, a political subdivision of the State of Georgia from Canton Street FD Development Partners, LLC, for the purpose of constructing the Fourteen Park Place (f/k/a Canton Street Townhomes) Project at 117 Canton Street, Alpharetta, 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 All People Trust Government is Effective, Efficient and Fiscally Sound 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 Fourteen Park Place Project, a residential 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 consists of 99.0 square feet and is located in Tract 1, Land Lot 1252 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 residential development.

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.

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

Community Issues/Concerns: None.

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)

20-0193

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 \$350.00.				
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 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: 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 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 : FOURTEEN PARK PLACE (P/K/A CANTON ST TOWNHOMES)
 Tax Parcel Identification No.: 22 4822 1252 0245
 Land Disturbance Permit No.: 18-038WRR
 Zoning/Special Use Permit No.: _____
 (if applicable)

For Fulton County Use Only

Approval Date: _____
 Initials: _____

WATER VAULT EASEMENT RELOCATION (Corporate Form)

STATE OF GEORGIA,
 COUNTY OF FULTON

This indenture entered into this 15th day of July, 2019, between
Canton Street FD Development Partners, 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 relocation and 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 relocation and 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 the subject property located in land lot(s) Georgia of the 2nd District, 2nd Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Fourteen Park Place (fka Canton Street Townhomes)

Project Name

[See Exhibit "A" attached hereto and made a part hereof]

Water Vault Easement – Corporation
 Revised 08/20/2007

This right and easement herein granted being to occupy such portion of my property as would be sufficient for the construction, relocation, 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.

Special Provision

Said water vault easement was originally recorded in the Fulton County records in Deed Book 60160, page(s) 469, 470, 471, 472. The Grantor has requested that the original water vault alignment associated with the original easement be altered as shown on attached Exhibit "A". With the execution of this document, the original easement recorded in Deed Book 60160, page(s) 469, 470, 471, 472 is considered modified to the extent that the description on the exhibits regarding the location of the water vault are revised herein. Said water vault easement modification shall not become effective until the new water vault alignment shown on Exhibit "A" has been installed to Fulton County standards and has been approved and accepted by the Fulton County Department of Public Works.

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 for the relocated water vault.

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 relocated 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 relocation, installation, access, upgrade or maintenance of said water vault, water meter and appurtenances for the use of the property as herein agreed.

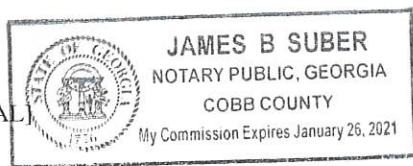
IN WITNESS HEREOF said party of the first part has hereunto affixed its hand and seal on the day and year first above written.

Signed, sealed and delivered this 16
day of July, 2019
in the presence of:

[Signature]
Witness

[Signature]
Notary Public

[NOTARIAL SEAL]



GRANTOR: Canton Street FID Development Partners
CORPORATE NAME

By: [Signature]

Print Name: Chris J. Davis

Title: Manager

By: N/A

Print Name: _____

Title: _____

[CORPORATE SEAL]

Property Line Description
Water Vault Easement

All that tract or parcel of land lying and being in Land Lot 1252 of the 2nd District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at the point of intersection of the easterly right-of-way of Canton Street (R/W varies) and the northerly right-of-way of Lily Garden Terrace (30' R/W)
Thence along said brotherly right-of-way North 89 degrees 27 minutes 10 seconds East, 201.73 feet to a point on the westerly boundary of the lands of West Main 1 LLC (DB 57607, Pg 503);
Thence departing said northerly right-of-way along said westerly boundary North 11 degrees 42 minutes 27 seconds West, 11.50 feet to a point;
Thence departing said westerly boundary along a curve to the right, an arc distance of 66.01 feet, said curve having a radius of 275.00 feet and being subtended by a chord of 65.86 feet, at South 86 degrees 28 minutes 40 seconds West, to a point;
Thence North 86 degrees 38 minutes 43 seconds West, 49.10 feet to a point;
Thence along a curve to the left, an arc distance of 15.66 feet, said curve having a radius of 325.00 feet and being subtended by a chord of 15.66 feet, at North 88 degrees 01 minutes 33 seconds West, to a point, said point being the TRUE POINT OF BEGINNING;

Thence along a curve to the left, an arc distance of 7.14 feet, said curve having a radius of 325.00 feet and being subtended by a chord of 7.14 feet, at South 89 degrees 57 minutes 51 seconds West, to a point;
Thence South 89 degrees 20 minutes 05 seconds West, 13.20 feet to a point;
Thence North 00 degrees 39 minutes 55 seconds West, 4.87 feet to a point;
Thence North 89 degrees 25 minutes 58 seconds East, 20.34 feet to a point;
Thence South 00 degrees 39 minutes 55 seconds East, 4.92 feet to a point, said point being the TRUE POINT OF BEGINNING;

Said tract or parcel of land contains 99 square feet.

