

After recording return to:
Michael Graham, Land Administrator
Fulton County Land Division
141 Pryor Street, SW, Suite 8021
Atlanta, GA 30303

Cross Reference

Deed/Plat Book 183 , Page 35
Deed Book 58540, Page 321

**INDEMNIFICATION, MAINTENANCE AND LAND USE AGREEMENT FOR
PRIVATE IMPROVEMENT**

THIS AGREEMENT, made this 9th day of April, 2025, between City of Union
City as citizen within Fulton County, Georgia, his successors, affiliates and assigns, as
Indemnitor ("Owner"), and FULTON COUNTY, a political subdivision of the State of Georgia (
"the County").

For good and valuable consideration, receipt of which is hereby acknowledged, it is
hereby agreed as follows:

1.

Owner warrants that he is the full and true owner and has clear title to that certain
property known as Veterans Park 3660 Royal South Parkway, Union City, GA. 30349 (enter
address), and as more fully described in that certain conveyance recorded in Deed Book 58540,
Page 321 of Fulton County, Georgia records, on which Owner desires to install certain private
improvements (the "Private Improvements") as more fully described in Exhibit "A", attached
hereto and incorporated herein by reference

2.

Fulton County owns and maintains a sanitary sewer line, as shown in Exhibit A, and
hereby grants Owner a License to construct, repair and replace, from time to time as may be
needed certain private improvements at its sole cost and responsibility above that sanitary sewer
line, said private improvements as same are more fully described in Exhibit "A" (the "Private
Improvements").

3.

With respect to this License, Owner shall install and construct the Private Improvements in a good and workmanlike manner and in compliance with all state, local, and Fulton County laws and regulations, including but not limited to, all current state, local and Fulton County laws and regulations governing soil erosion and sedimentation control. Owner will at all times adhere to best management practice procedures to protect the environment in connection with the construction, repair and/or maintenance of the Private Improvements.

4.

This License shall commence on the date of execution hereof and shall continue in full force and effect unless and until it is terminated at the will of the County.

5.

Owner may terminate this License and Agreement by written notice to the County and shall remove the Private Improvement at his sole costs and return the area to its natural vegetative state. If during the term of this License, the area containing the Private Improvements is condemned by the County or its assign, Owner shall make no claim in the condemnation proceedings for compensation for the Private Improvements.

6.

Fulton County personnel and /or agents shall have free access to and across the Private Improvements to perform routine maintenance and any emergency repairs to the existing public improvements.

7.

Owner shall be solely responsible for the maintenance, repair and replacement of the Private Improvements and the County grants Owner a right of access in order to carry out these obligations.

8.

Notwithstanding any other provisions, in the case of an emergency, Fulton County may immediately suspend or revoke the License without notice in order to protect the health, safety, and welfare of the public. In non-emergency situations, after providing at least 10 days' notice to Owner, Fulton County may suspend or revoke the License in order to carry out any necessary governmental function. In the event of the suspension or revocation of the License, Owner must cure all defects specified by the County in its notice and within the time reasonably specified by the County. Failure on the part of Owner to cure any defects within the allotted time will be grounds for the County to terminate the License. Alternatively, the County may, but shall not be required to, cure any such defect at the sole cost and expense of Owner. The County may elect to terminate the License at will and remove the Private Improvements without liability for loss or damage for such removal. Fulton County shall remove the Private Improvements so as not to damage other portions of Owner's property and is granted a right of entry by Owner on the other portions of Owner's property to effectuate the repair, if necessary.

9.

Owner hereby agrees to indemnify Fulton County and hold Fulton County harmless from any and all damages which Fulton County may suffer and from any and all liability, claims, penalties, forfeitures, suits, and costs and expenses incident to the granting of the License and this Agreement (including cost of defense, settlement, and reasonable attorney's fees), which it may hereafter incur, become responsible for, or pay out as a result of the death or bodily injuries to

any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violations of governmental laws, regulations, or orders caused in whole or in part by the negligent act, negligent omission or willful misconduct of Owner, his employees, subcontractors, or assigns in the performance of this License or Agreement.

10.

Owner agrees to repair or replace in a manner acceptable to the County and/or the owner thereof any public utilities damaged by it, its employees or subcontractors during performance of this License and Agreement or resulting from the failure of the Private Improvements. At its election the County may repair or replace the damaged utility and assess all costs against Owner.

11.

The License conveyed to Owner by this Agreement shall be binding upon Owner, its assigns, affiliates, and successors. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. If any provision of this agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement, which shall remain in full force and effect, and enforceable in accordance with its terms.

12.

The License conveyed to Owner by this Agreement shall constitute a covenant running with the land and shall be recorded in the real property records of Fulton County, Georgia and shall be binding upon all subsequent transferees of said property.

13.

All notices, consents, request, demands or other communications to or upon the respective party shall be in writing and shall be effective for all purposes upon receipt, including, but not limited to, in the case of (i) personal delivery; (ii) delivery by messenger, express or air courier or similar courier; or (iii) delivery by United States first class certified or registered mail, postage prepaid and addressed as follows:

COUNTY: Fulton County
Director of Public Works
141 Pryor Street, SW, 6Th. Floor
Atlanta, GA. 30303

with a copy to: Fulton County
County Attorney
Office of the County Attorney
141 Pryor Street, SW, Suite 4038
Atlanta, GA. 30303

OWNER: City of Union City
5047 Union Street
Union City, GA 30291

RE Land Lot(s) 82, District 9F

Parcel Number: 09F241100820484

IN WITNESS WHEREOF, the parties have executed this Agreement at Atlanta, Georgia, as of the day and year first above written.

Signatures:

Signed sealed and delivered in the presence of

OWNER Union City

Shonday Freeman
Unofficial Witness

[Signature]
Signature (Authorized Party to Bind Owner Entity)

[Signature]
Notary Public
My Commission Expires: 09/08/2025

Vince R. Williams, Mayor
Signatory's Name and Title (printed)

Owner's Address: _____

5047 Union Street

Union City, GA 30291



Attest:

FULTON COUNTY, GEORGIA

Clerk of Commission

By: _____
Chairman, Board of Commissioners

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

David E. Clark, Director
Department of Public Works

Y. Soo Jo, County Attorney

EXHIBIT “A”

SURVEYOR CERTIFICATION:

This plot is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stored herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

A M
5/15/2024

TOTAL AREA = 5.991 ACRES
(INCLUDES TITLE OVERLAP)

NOTES:

- 1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASSIGNED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
- 2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- 3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.
- 4.) STATE PLANE COORDINATES AND ELEVATIONS ARE GEORGIA WEST ZONE NAD83/NAVD83 AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE LEICA SMARTNET AND ARE BASED ON GEOID 2012B.
- 5.) UTILITIES SHOWN HEREON ARE BASED ON UTILITIES PROTECTION CENTER MARKINGS, RECORD DRAWINGS AND ABOVE GROUND FIELD EVIDENCE. ATLAS TECHNICAL CONSULTANTS, LLC DOES NOT WARRANT THE SIZE OR THE EXACT LOCATION OF THE UTILITIES SHOWN OR THE FACT THAT OTHER UTILITIES MAY EXIST.
- 6.) THE CURRENT OWNER OF THE PROPERTY SHOWN HEREON IS THE CITY OF UNION CITY, TAX PARCEL # 09F241100820484.

PLAT REFERENCES:

- 1.) PLAT FOR ROYAL 85 SOUTH, PREPARED BY W.L. JORDEN & CO, INC., RECORDED IN PLAT BOOK 183, PAGE 35.
- 2.) PLAT FOR ROYAL 85, LLC, PREPARED BY ENGINEERING & INSPECTIONS SYSTEMS, INC., RECORDED IN PLAT BOOK 351, PAGE 136.

DEED REFERENCES:

- 1.) CORRECTIVE LIMITED WARRANTY DEED FROM IVAN ALLEN COMPANY TO THE CITY OF UNION CITY, GEORGIA, RECORDED IN DEED BOOK 58540, PAGE 321.
- 2.) QUITCLAIM DEED FROM ROYAL 85, LLC TO ROYAL 85 OWNERS ASSOCIATION, INC., RECORDED IN DEED BOOK 49647, PAGE 580.



LEGEND

CAS = CITY STATE	FB = REBAR
TRM = TRIM	IN = NORTHING
CON = CONCRETE	HW = HEADWALL
ELB = ELEVATION	CI = CURB INLET
IP = IRON PIN FOUND	DI = DRAIN INLET
IPF = IRON PIN SET (1/2" REBAR)	JB = JUNCTION BOX
OP = OPEN TOP PIPE	CMR = CORRUGATED METAL PIPE
CRP = CRIMP TOP PIPE	RCR = REINFORCED CONCRETE PIPE
CMF = CONC. MONUMENT FOUND	FES = FLARED END SECTION
ROF = RIGHT OF WAY	CRP = CAST IRON PIPE
PL = PROPERTY LINE	DCP = DUCTILE IRON PIPE
CON = CONDUIT	WCP = WIRELESS CABLE PIPE
LL = LAND LOT LINE	IN = INVERT ELEVATION
LL = LAND LOT LINE	FFE = FINISHED FLOOR ELEVATION
N/A = NOW OR FORMERLY	BCE = BASEMENT FLOOR ELEVATION
DB = DEED BOOK	CSM = CROWN SPACE ELEVATION
HL = HIGHWAY	HL = HIGHWAY
FE = FENCE LINE	SSE = SURVEYOR'S ELEVATION
NTS = NOT TO SCALE	SSE = SANITARY SEWER EASEMENT
W = DETECTABLE WARNING SURFACE	CV = CABLE TV BOX
PL = PLANT URN	PL = POWER POLE
FOC = FIBER OPTIC CABLE	CL = LIGHT POLE
SMW = SANITARY SEWER MANHOLE	CL = LIGHT POLE
U.G. = UNDERGROUND	TR = TELEPHONE POLE
PH = TELEPHONE MANHOLE	TR = TELEPHONE POLE
CMR = CAMERA POLE	SB = SOUTHERN BELL (BELL SOUTH)
TRM = TRAFFIC POLE	TR = TRANSFORMER
ELB = ELECTRIC MANHOLE	OP = OVERHEAD POWER
IPF = IRON PIN SET	OP = OVERHEAD POWER
CRP = CRIMP TOP PIPE	OP = OVERHEAD POWER & TELE
CMF = CONC. MONUMENT FOUND	OP = OVERHEAD POWER
ROF = RIGHT OF WAY	OP = OVERHEAD POWER
PL = PROPERTY LINE	OP = OVERHEAD POWER
CON = CONDUIT	OP = OVERHEAD POWER
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CMR = CAMERA POLE	OP = OVERHEAD POWER
TRM = TRAFFIC POLE	OP = OVERHEAD POWER
ELB = ELECTRIC MANHOLE	OP = OVERHEAD POWER
IPF = IRON PIN SET	OP = OVERHEAD POWER
CRP = CRIMP TOP PIPE	OP = OVERHEAD POWER
CMF = CONC. MONUMENT FOUND	OP = OVERHEAD POWER
ROF = RIGHT OF WAY	OP = OVERHEAD POWER
PL = PROPERTY LINE	OP = OVERHEAD POWER
CON = CONDUIT	OP = OVERHEAD POWER
LL = LAND LOT LINE	OP = OVERHEAD POWER
LL = LAND LOT LINE	OP = OVERHEAD POWER
N/A = NOW OR FORMERLY	OP = OVERHEAD POWER
DB = DEED BOOK	OP = OVERHEAD POWER
HL = HIGHWAY	OP = OVERHEAD POWER
FE = FENCE LINE	OP = OVERHEAD POWER
NTS = NOT TO SCALE	OP = OVERHEAD POWER
W = DETECTABLE WARNING SURFACE	OP = OVERHEAD POWER
PL = PLANT URN	OP = OVERHEAD POWER
FOC = FIBER OPTIC CABLE	OP = OVERHEAD POWER
SMW = SANITARY SEWER MANHOLE	OP = OVERHEAD POWER
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