

**Agenda Item Summary**BOC Meeting Date  
10/7/2020**Requesting Agency**

Real Estate and Asset Management

**Commission Districts Affected**

3

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

Request approval of a Sewer Easement Dedication of 175 square feet to Fulton County, a political subdivision of the State of Georgia, from Michael Marr, for the purpose of constructing the 4631 Powers Ferry Road Project at 4631 Powers Ferry Road, Sandy Springs, Georgia 30327.

**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 4631 Powers Ferry Road Project, a residential development, requires a connection to the County's sewer system. Fulton County development regulations require that all new sewer line connections acknowledge Fulton County's ownership interests in the area(s) in which a connection is being made to the County's sewer system prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed to the County consists of 175 square feet and is located in Land Lot 119 of the 17th District of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's sewer 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 County's sewer system once the proposed improvements are installed.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

**Agency Director Approval****County Manager's  
Approval**

Typed Name and Title

Phone

Signature

Date

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	

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

**# 20-0675**

<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 sewer easement dedication, the County saves land acquisition costs of approximately \$1,000.00.				
<b>Exhibits Attached</b> <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i>				
<b>Source of Additional Information</b> <i>(Type Name, Title, Agency and Phone)</i>				

<b>Agency Director Approval</b>		<b>County Manager's Approval</b>
<b>Typed Name and Title</b>	<b>Phone</b>	
<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 : 4631 POWERS FERRY ROAD  
 Tax Parcel Identification No.: 17 0119 0002 023 2  
 Land Disturbance Permit No.: 20-034 WR  
 Zoning/Special Use Permit No.: \_\_\_\_\_  
 (if applicable)

*For Fulton County Use Only*

Approval Date: \_\_\_\_\_  
 Initials: \_\_\_\_\_

**SEWER EASEMENT**  
**(Individual Form)**

STATE OF GEORGIA,  
 COUNTY OF FULTON

This indenture entered into this 17<sup>th</sup> day of June, 2020, between Michael Marr of said state and county, 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 (hereinafter referred to as Grantee).

WITNESSETH, that for and in consideration of \$1.00 in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefits which will accrue to the undersigned from the construction of a sewer line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a sewer line through the subject property, said Grantor(s) has (have) granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to **FULTON COUNTY** and to successors and assigns the right, title, and privilege of easements through subject property located in Land Lot(s) 119, \_\_\_\_\_ Section (if applicable) of District 17, Fulton County, Georgia, and more particularly described as follows: To wit:

4631 Powers Ferry Road Sewer project  
 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, access, maintenance and upgrade of a sewer line through my property according to the location and size of said

sewer line as shown on the map and profile now 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 sewer line within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor(s) hereby conveys (convey) and relinquishes (relinquish) to FULTON COUNTY a right of access over Grantor's (Grantors') remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said sewer line on both a routine and emergency basis.

I (We) hereby warrants (warrant) that I (we) have the right to sell and convey said sewer line easement and right of access and bind myself (ourselves), my (our) heirs, executors, and administrators, forever to warrant and defend the right and title to the above described sewer line easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

Said Grantor(s) hereby waives (waive) for him/herself (their selves), him/her (their) heirs, and assigns all rights to any further compensation or claim to damages on account of the construction, access, upgrade or maintenance of said sewer line for the use of the property as herein agreed.

IN WITNESS HEREOF said party of the first part has hereunto affixed his/her (their) hand(s) and seal(s) on the day and year first above written.

Signed, sealed and delivered this 17<sup>th</sup>  
day of June, 20 20  
in the presence of:

Jarvis Johnson  
Witness

By:

[Signature] (L.S.)

Jay Bente  
Notary Public

[NOTARIAL SEAL]

Print  
Name:

Michael Marr (L.S.)

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

Witness

By:

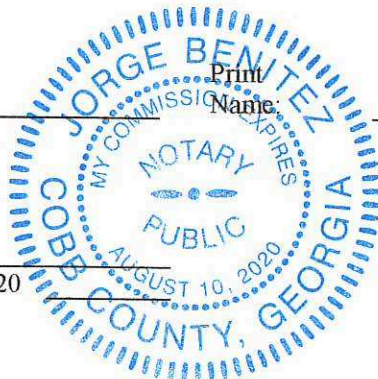
\_\_\_\_\_  
(L.S.)

Notary Public

Print  
Name:

(L.S.)

[NOTARIAL SEAL]





**LEGAL DESCRIPTION**  
**5' STRIP FOR SANITARY SEWER EXTENSION**

**4631 Powers Ferry Road NW, Sandy Springs, GA 30327 (Parcel ID: 17 -0119-0002-023-2)**

All that tract of parcel of land lying and being in Land Lot 119 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

To arrive at the true point of beginning, begin at a point located at the intersection of the Easterly Right-of-Way of Powers Ferry Road (40' R/W) and the Southerly Right-of-way of Lafayette Way; thence along the Easterly Right-of-Way of Powers Ferry Road in a Southerly direction 549.00 feet to a rebar found; thence along the Easterly Right-of-Way of Powers Ferry Road, South 88°55'59" East a distance of 10.00 feet to a point with said point establishing the Right-of-Way of Powers Ferry Road as a 50 foot Right-of-Way; thence along the Easterly side of the Right-of-Way of Powers Ferry Road (50' R/W) South 00°48'02" West a distance of 115.00 feet to a point which is the true point of beginning of a 5' sewer easement.

From said point of beginning thus established, thence leaving the Eastern Right-of-Way of Powers Ferry Road (50' R/W) South 88°55'59" East a distance of 5.00 feet to a point; thence South 00°48'02" West a distance of 35.00 feet to a point; thence North 88°55'59" West a distance of 5.00 feet to a point located on the Eastern Right-of-Way of Powers Ferry Road (50' R/W); thence along the Eastern Right-of-Way of Powers Ferry Road (50' R/W) North 00°48'02" East a distance of 35.00 feet to the true point of beginning.

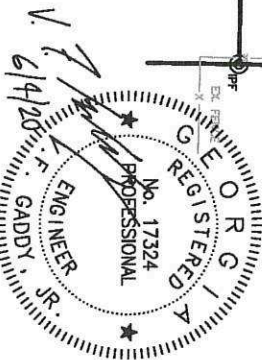
Said Tract of Land being known as 5' Sanitary Sewer Easement, being more particularly shown on Sanitary Sewer Easement Exhibit for 4631 Powers Ferry Road Sewer Project, by: Gaddy Surveying & Design, Inc.; dated June 4, 2020, containing 175 Sq.Ft.





6/4/20

4631 POWERS FERRY ROAD SEWER PROJECT  
 SANITARY SEWER EASEMENT EXHIBIT  
 4631 POWERS FERRY ROAD  
 PLAT BOOK 276, PAGE 40-43  
 LAND LOT 119 - 17TH DISTRICT  
 CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA



4631 POWERS FERRY ROAD SEWER PROJECT

