

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

Real Estate and Asset Management

**Commission Districts Affected**

6 and 7

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

Request approval of a Sewer Easement Dedication of 2,010 square feet to Fulton County, a political subdivision of the State of Georgia, from Habitat for Humanity in Atlanta, Inc., for the purpose of constructing the Atlanta Habitat Restore Project at 5620 and 5626 Old National Hwy, South Fulton, Georgia 30349.

**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 Atlanta Habitat Restore Project, a commercial 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 2,010 square feet and is located in Land Lot 93 of the 13th District of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's sewer system and the addition of warehouse, retail, and office spaces for storage and resale of donated items.

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.

**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
<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)

**# 20-0680**

<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 \$4,600.00.				
<b>Exhibits Attached</b> <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Sewer 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 MUST ONLY BE RECORDED 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 : \_\_\_\_\_  
 Tax Parcel Identification No.: \_\_\_\_\_  
 Land Disturbance Permit No.: \_\_\_\_\_  
 Zoning/Special Use Permit No.: \_\_\_\_\_  
 (if applicable)

*For Fulton County Use Only*

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

**SEWER EASEMENT  
 (Corporate Form)**

STATE OF GEORGIA,  
 COUNTY OF FULTON

This indenture entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between Habitat for Humanity in Atlanta, Inc, 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 and 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 subject property, said Grantor has 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) \_\_\_\_\_ 93 \_\_\_\_\_, \_\_\_\_\_ Section (if applicable) of District \_\_\_\_\_ 13 \_\_\_\_\_, Fulton County, Georgia, and more particularly described as follows: To wit:

\_\_\_\_\_  
*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 hereby conveys and relinquishes to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said sewer line on both a routine and emergency basis.

Said Grantor hereby warrants that it has the right to sell and convey said sewer line 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 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 hereby waives for itself, its successors 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 hand and seal on the day and year first above written.

Signed, sealed and delivered this 13<sup>th</sup>  
day of July, 20 20  
in the presence of:

[Signature]  
Witness

Connie Lee  
Notary Public

[NOTARIAL SEAL]



GRANTOR: \_\_\_\_\_  
CORPORATE NAME

By: Lisa Y. Gordon  
Print Name: Lisa Y. Gordon

Title: President and CEO

By: \_\_\_\_\_

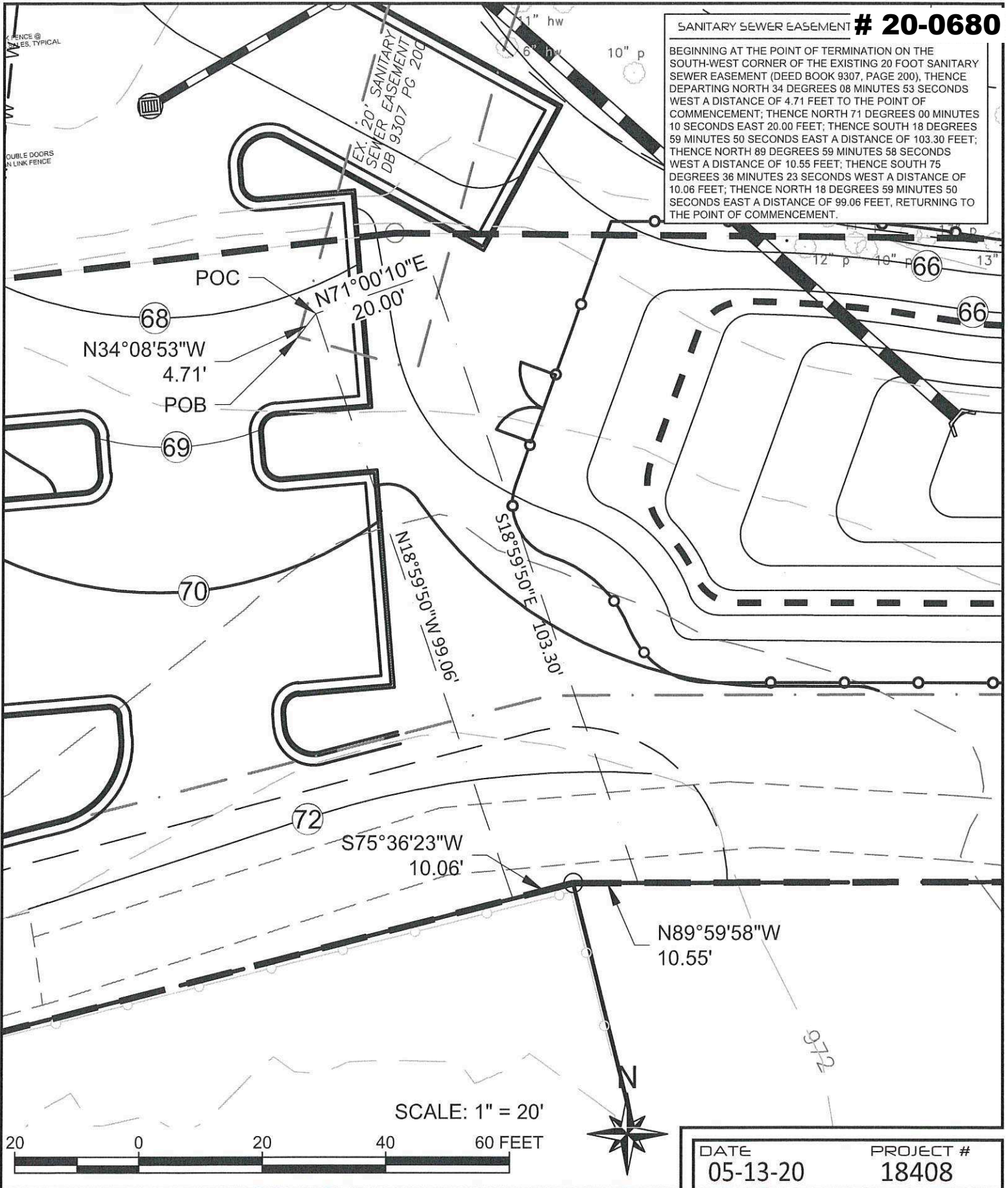
Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

[CORPORATE SEAL]

# SANITARY SEWER EASEMENT # 20-0680

BEGINNING AT THE POINT OF TERMINATION ON THE SOUTH-WEST CORNER OF THE EXISTING 20 FOOT SANITARY SEWER EASEMENT (DEED BOOK 9307, PAGE 200), THENCE DEPARTING NORTH 34 DEGREES 08 MINUTES 53 SECONDS WEST A DISTANCE OF 4.71 FEET TO THE POINT OF COMMENCEMENT; THENCE NORTH 71 DEGREES 00 MINUTES 10 SECONDS EAST 20.00 FEET; THENCE SOUTH 18 DEGREES 59 MINUTES 50 SECONDS EAST A DISTANCE OF 103.30 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST A DISTANCE OF 10.55 FEET; THENCE SOUTH 75 DEGREES 36 MINUTES 23 SECONDS WEST A DISTANCE OF 10.06 FEET; THENCE NORTH 18 DEGREES 59 MINUTES 50 SECONDS EAST A DISTANCE OF 99.06 FEET, RETURNING TO THE POINT OF COMMENCEMENT.



**civilOGISTIX**

500 Sun Valley Drive, Ste H3, Roswell, GA 30076  
(404) 594-4403 - civilogistix.com

SHEET TITLE

EXHIBIT A - PROPOSED SS UTILITY EASEMENT

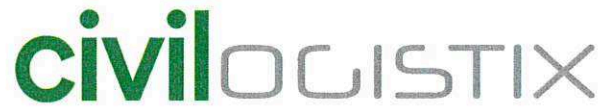
OWNER

DAN MADDOX JR.

PROJECT

ATLANTA HABITAT RESTORE  
5626 OLD NATIONAL HIGHWAY  
COLLEGE PARK, GA 30349

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## Sanitary Sewer Extension Easement Legal Description

Beginning at the point of termination on the South-West corner of the existing 20 foot sanitary sewer easement (Deed Book 9307, page 200), thence departing North 34 degrees 08 minutes 53 seconds West a distance of 4.71 feet to the point of commencement; thence North 71 degrees 00 minutes 10 seconds East 20.00 feet; thence South 18 degrees 59 minutes 50 seconds East a distance of 103.30 feet; thence North 89 degrees 59 minutes 58 seconds West a distance of 10.55 feet; thence South 75 degrees 36 minutes 23 seconds West a distance of 10.06 feet; thence North 18 degrees 59 minutes 50 seconds East a distance of 99.06 feet, returning to the point of commencement. The total area of the said easement is 2,010.45 square feet.