



Fulton County Board of Commissioners  
**Agenda Item Summary**

**# 20-0195**

**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 Sewer Easement Dedication of 869 square feet to Fulton County, a political subdivision of the State of Georgia from Fuqua and Associates, Inc. for the purpose of constructing the Baxley Subdivision Project at 12800 Hopewell Road, Milton, Georgia 30004.

**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 Baxley Subdivision 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 consists of 869 square feet and is located in Land Lots 1107 and 1108 of the 2nd District, 2nd Section 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 sewer 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.

<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	
Joseph N. Davis, Director, Department of Real Estate and Asset Management	404-612-3772	

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

**# 20-0195**

<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 \$1,202.00.				
<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: 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 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 : Baxley Subdivision  
 Tax Parcel Identification No.: 22 480011080262, 22 480011080155  
 Land Disturbance Permit No.: 18-055WR  
 Zoning/Special Use Permit No.: R-15  
 (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 31<sup>st</sup> day of July, 2019, between  
Fuqua & Associates, 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) 1107, 1108, 2<sup>nd</sup> Section (if applicable) of District 2, Fulton County, Georgia, and more particularly described as follows: To wit:

Baxley Subdivision

*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.

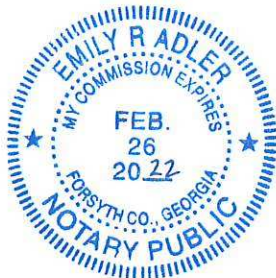
**IN WITNESS HEREOF** said party of the first part has hereunto affixed his/her hand and seal on the day and year first above written.

Signed, sealed and delivered this 31<sup>st</sup>  
day of July 20 19  
in the presence of:

Milos Ivasep  
Witness

Emily R. Adler  
Notary Public

[NOTARIAL SEAL]



GRANTOR: Fuqua & Associates, Inc.  
CORPORATE NAME

By: [Signature]

Print Name: Tommy Fuqua for Fuqua & Associates, Inc

Title: Prcep.

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

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

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

[CORPORATE SEAL]



EXHIBIT "A"  
SHEET 1 OF 6  
LEGAL DESCRIPTION  
FUQUA & ASSOCIATES, INC.  
SANITARY SEWER EASEMENT "A" FOR BAXLEY S/D

All that tract or parcel of land lying and being located in Land Lot 1108, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a mag nail set at the intersection of the south line of Land Lot 1108 with the west right of way line of Hopewell Road (an 80' R/W);

THENCE North 12 degrees 32 minutes 14 seconds East for a distance of 100.36' along the west right of way line of Hopewell Road (an 80' R/W) to an iron pin found (1/2" R/B) at the southeast property corner of Fuqua & Associates, Inc.;

THENCE leaving said west right of way line of Hopewell Road, North 69 degrees 07 minutes 11 seconds West for a distance of 196.62' along the southern property line of Fuqua & Associates, Inc., to an iron pin found (5/8" R/B);

THENCE along the southern property line of Fuqua & Associates, Inc., North 56 degrees 55 minutes 04 seconds West for a distance of 179.82' to an iron pin found (1/2" R/B);

THENCE along the southern property line of Fuqua & Associates, Inc., North 72 degrees 34 minutes 59 seconds West for a distance of 131.01' to a point and the TRUE POINT OF BEGINNING;

THENCE along the southern property line of Fuqua & Associates, Inc., North 72 degrees 34 minutes 59 seconds West for a distance of 20.23 feet to a point;

THENCE North 08 degrees 41 minutes 06 seconds East for a distance of 30.51 feet to a point;

THENCE South 18 degrees 15 minutes 57 seconds East for a distance of 14.64 feet to a point;

THENCE South 69 degrees 41 minutes 42 seconds East for a distance of 13.65 feet to a point;

THENCE South 08 degrees 41 minutes 06 seconds West for a distance of 17.78 feet to a point on the southern property line of Fuqua & Associates, Inc., and the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said easement contains 405 S.F. and is more fully shown as Fuqua & Associates, Inc. Sanitary Sewer Easement "A" on the Fulton County Water & Sanitary Sewer Easement Exhibit for Baxley S/D, by Brumelow-Reese and Associates, Inc., dated December 5, 2018, as revised July 31, 2019, bearing their job number 2018-039, and being identified as drawing BAXLEY-SSE-R1.



LEGAL DESCRIPTION  
FUQUA & ASSOCIATES, INC.  
SANITARY SEWER EASEMENT "B" FOR BAXLEY S/D

All that tract or parcel of land lying and being located in Land Lot 1108, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a mag nail set at the intersection of the south line of Land Lot 1108 with the west right of way line of Hopewell Road (an 80' R/W);

THENCE North 12 degrees 32 minutes 14 seconds East for a distance of 100.36' along the west right of way line of Hopewell Road (an 80' R/W) to an iron pin found (1/2" R/B) at the southeast property corner of Fuqua & Associates, Inc.;

THENCE leaving said west right of way line of Hopewell Road, North 69 degrees 07 minutes 11 seconds West for a distance of 196.62' along the southern property line of Fuqua & Associates, Inc., to an iron pin found (5/8" R/B);

THENCE along the southern property line of Fuqua & Associates, Inc., North 56 degrees 55 minutes 04 seconds West for a distance of 157.77' to a point and the TRUE POINT OF BEGINNING;

THENCE along the southern property line of Fuqua & Associates, Inc., North 56 degrees 55 minutes 04 seconds West for a distance of 22.05 feet to an iron pin found (1/2" R/B);

THENCE along the southern property line of Fuqua & Associates, Inc., North 72 degrees 34 minutes 59 seconds West for a distance of 2.12 feet to a point;

THENCE North 02 degrees 10 minutes 51 seconds West for a distance of 11.82 feet to a point;

THENCE South 69 degrees 41 minutes 42 seconds East for a distance of 8.18 feet to a point;

THENCE South 56 degrees 42 minutes 02 seconds East for a distance of 15.27 feet to a point;

THENCE South 02 degrees 10 minutes 51 seconds East for a distance of 13.27 feet to a point on the southern property line of Fuqua & Associates, Inc., and the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said easement contains 259 S.F. and is more fully shown as Fuqua & Associates, Inc. Sanitary Sewer Easement "B" on the Fulton County Water & Sanitary Sewer Easement Exhibit for Baxley S/D, by Brumbelow-Reese and Associates, Inc., dated December 5, 2018, as revised July 31, 2019, bearing their job number 2018-039, and being identified as drawing BAXLEY-SSE-R1.

EXHIBIT "A"  
SHEET 3 OF 6

LEGAL DESCRIPTION  
FUQUA & ASSOCIATES, INC.  
SANITARY SEWER EASEMENT "C" FOR BAXLEY S/D

All that tract or parcel of land lying and being located in Land Lot 1108, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a mag nail set at the intersection of the south line of Land Lot 1108 with the west right of way line of Hopewell Road (an 80' R/W);

THENCE North 12 degrees 32 minutes 14 seconds East for a distance of 100.36' along the west right of way line of Hopewell Road (an 80' R/W) to an iron pin found (1/2" R/B) at the southeast property corner of Fuqua & Associates, Inc.;

THENCE leaving said west right of way line of Hopewell Road, North 69 degrees 07 minutes 11 seconds West for a distance of 187.23' along the southern property line of Fuqua & Associates, Inc., to a point and the TRUE POINT OF BEGINNING;

THENCE along the southern property line of Fuqua & Associates, Inc., North 69 degrees 07 minutes 11 seconds West for a distance of 9.39 feet to an iron pin found (5/8" R/B);

THENCE along the southern property line of Fuqua & Associates, Inc., North 56 degrees 55 minutes 04 seconds West for a distance of 10.83 feet to a point;

THENCE North 33 degrees 17 minutes 58 seconds East for a distance of 10.25 feet to a point;

THENCE South 56 degrees 42 minutes 02 seconds East for a distance of 10.54 feet to a point;

THENCE South 69 degrees 05 minutes 31 seconds East for a distance of 9.68 feet to a point;

THENCE South 33 degrees 17 minutes 58 seconds West for a distance of 10.27 feet to a point on the southern property line of Fuqua & Associates, Inc., and the point of beginning.

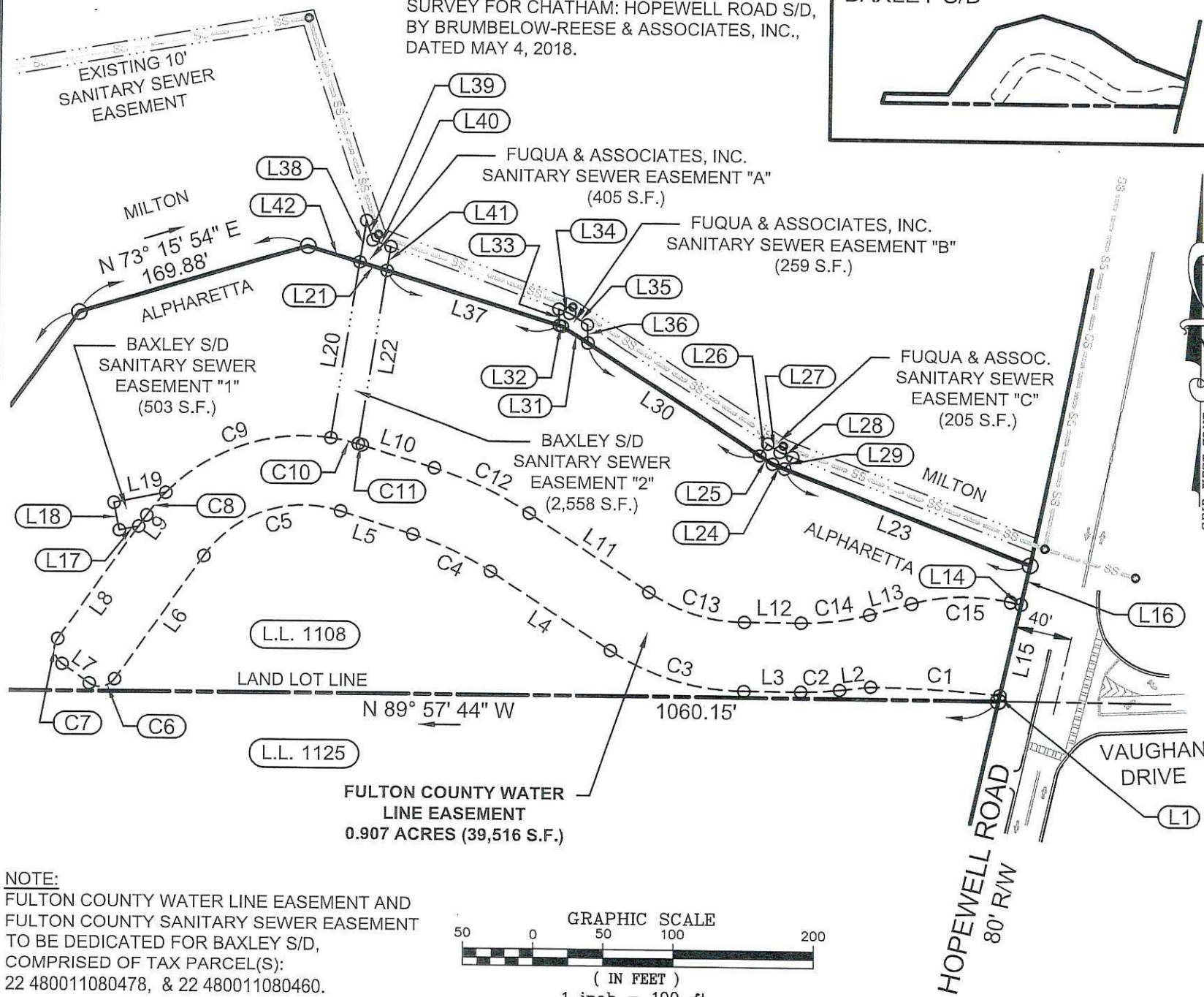
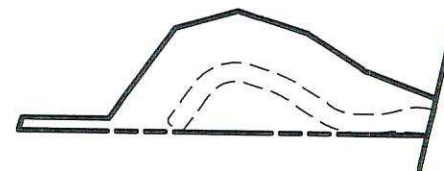
Together with and subject to covenants, easements, and restrictions of record.

Said easement contains 205 S.F. and is more fully shown as Fuqua & Associates, Inc. Sanitary Sewer Easement "C" on the Fulton County Water & Sanitary Sewer Easement Exhibit for Baxley S/D, by Brumbelow-Reese and Associates, Inc., dated December 5, 2018, bearing their job number 2018-039, as revised July 31, 2019, and being identified as drawing BAXLEY-SSE-R1.

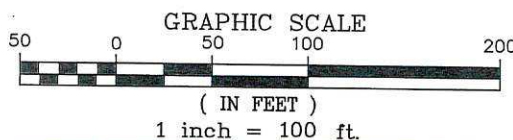


**SURVEY REFERENCE:**  
SURVEY FOR CHATHAM: HOPEWELL ROAD S/D,  
BY BRUMBELOW-REESE & ASSOCIATES, INC.,  
DATED MAY 4, 2018.

BAXLEY S/D



**NOTE:**  
FULTON COUNTY WATER LINE EASEMENT AND  
FULTON COUNTY SANITARY SEWER EASEMENT  
TO BE DEDICATED FOR BAXLEY S/D,  
COMPRISED OF TAX PARCEL(S):  
22 480011080478, & 22 480011080460.



BRUMBELOW-REESE & ASSOC., INC.  
LAND SURVEYORS, LAND PLANNERS,  
DEVELOPMENT CONSULTANTS  
[GEORGIA LICENSE LSP000285]

13665 HIGHWAY 9 N  
MILTON, GEORGIA 30004-3616  
PHONE: 770-475-6817  
FAX: 770-569-4948  
EMAIL: BRASSINC@COMCAST.NET



GEORGIA R.L.S. # 2072  
MEMBER OF S.A.M.S.O.G.

LOCATED IN:  
LAND LOT(S): 1108  
DISTRICT: 2, SECTION: 2  
CITY OF: ALPHARETTA, MILTON  
COUNTY OF: FULTON  
STATE OF GEORGIA

FULTON COUNTY WATER & SANITARY  
SEWER EASEMENT EXHIBIT FOR:

BAXLEY S/D  
FULTON COUNTY LDP #18-055WR

DATE: DECEMBER 5, 2018  
REVISED: JULY 31, 2019 - CHANGE OF OWNERSHIP

DRAWN BY: MK

DRAWING: BAXLEY-SSE-R1

JOB NO. 2018-039



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N 12°32'14" E	4.34'
L2	S 83°13'46" W	22.35'
L3	N 89°58'22" W	40.58'
L4	N 56°56'49" W	102.32'
L5	N 72°35'19" W	53.93'
L6	S 35°10'52" W	109.15'
L7	N 54°49'08" W	24.00'
L8	N 35°10'52" E	99.46'
L9	N 35°10'52" E	9.69'
L10	S 72°35'19" E	53.93'
L11	S 56°56'49" E	102.32'
L12	S 89°58'22" E	40.58'
L13	N 74°40'57" E	30.92'
L14	S 78°15'12" E	7.67'
L15	S 12°32'14" W	67.45'
L16	N 12°32'14" E	28.57'
L17	S 78°38'34" W	14.09'
L18	N 11°21'26" W	20.00'
L19	N 78°38'34" E	37.57'
L20	N 08°41'06" E	129.09'
L21	S 72°34'59" E	20.23'
L22	S 08°41'06" W	127.19'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L23	N 69°07'11" W	187.23'
L24	N 69°07'11" W	9.39'
L25	N 56°55'04" W	10.83'
L26	N 33°17'58" E	10.25'
L27	S 56°42'02" E	10.54'
L28	S 69°05'31" E	9.68'
L29	S 33°17'58" W	10.27'
L30	N 56°55'04" W	146.94'
L31	N 56°55'04" W	22.05'
L32	N 72°34'59" W	2.12'
L33	N 02°10'51" W	11.82'
L34	S 69°41'42" E	8.18'
L35	S 56°42'02" E	15.27'
L36	S 02°10'51" E	13.27'
L37	N 72°34'59" W	128.89'
L38	N 08°41'06" E	30.51'
L39	S 18°15'57" E	14.64'
L40	S 69°41'42" E	13.65'
L41	S 08°41'06" W	17.78'
L42	S 72°34'59" E	38.60'

CURVE TABLE				
CURVE #	BEARING	CHORD	RADIUS	ARC
C1	N 87°00'21" W	91.73'	830.91'	91.77'
C2	S 86°37'42" W	27.69'	233.50'	27.70'
C3	N 73°27'35" W	99.48'	175.00'	100.87'
C4	N 64°46'04" W	61.23'	225.00'	61.42'
C5	S 71°17'46" W	102.56'	87.00'	109.68'
C6	S 80°10'52" W	18.38'	13.00'	20.42'
C7	N 09°49'08" W	18.38'	13.00'	20.42'
C8	N 39°36'51" E	21.18'	137.00'	21.20'
C9	N 70°56'44" E	123.96'	137.00'	128.63'
C10	S 77°57'48" E	20.03'	137.00'	20.05'
C11	S 73°10'46" E	2.83'	137.00'	2.83'
C12	S 64°46'04" E	74.84'	275.00'	75.07'
C13	S 73°27'35" E	71.06'	125.00'	72.05'
C14	N 82°21'17" E	49.00'	182.79'	49.14'
C15	N 88°12'53" E	70.20'	150.00'	70.85'

BRUMBELOW-REESE & ASSOC., INC.  
LAND SURVEYORS, LAND PLANNERS,  
DEVELOPMENT CONSULTANTS  
(GEORGIA LICENSE LSP000285)

13665 HIGHWAY 9 N  
MILTON, GEORGIA 30004-3616  
PHONE: 770-475-6617  
FAX: 770-569-4948  
EMAIL: BRASSING@COMCAST.NET



LOCATED IN:  
LAND LOT(S): 1108  
DISTRICT: 2, SECTION: 2  
CITY OF: ALPHARETTA, MILTON  
COUNTY OF: FULTON  
STATE OF GEORGIA

FULTON COUNTY WATER & SANITARY  
SEWER EASEMENT EXHIBIT FOR:

BAXLEY S/D  
FULTON COUNTY LDP #18-055WR

DATE: DECEMBER 5, 2018  
REVISED: JULY 31, 2019 - CHANGE OF OWNERSHIP

DRAWN BY: MK  
DRAWING: BAXLEY-SSE-R1  
JOB NO. 2018-039



