

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 68424, Page 272  
Deed Book 69643, Page 28

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

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, between JBGL Atlanta Development 2014, LLC 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. 68424 272  
Owner warrants that he is the full and true owner and has clear title to that certain property known as 2260 Old Milton Pkwy (enter address), and as more fully described in that certain conveyance recorded in Deed Book    , Page     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. 69643 28  
Previously, Fulton County was granted a sanitary sewer easement, as referenced in and recorded at Plat Book/Deed Book (circle one)    , Page     of Fulton County, Georgia records, and hereby grants Owner a License to enter within a portion of its sanitary sewer easement to construct, repair and replace, from time to time as may be needed certain private improvements at his sole cost and responsibility, 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. Alternately, 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: JBGL Atlanta Development 2014, LLC  
11340 Lakefield Drive, Ste 140  
Johns Creek, GA

District 1, Section 2, Land Lot(s) 748

Parcel Number: 12 270307480305

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

Signatures:

OWNER JBGL Atlanta Development 2014, LLC

Signed sealed and delivered in the presence of

[Handwritten Signature]  
Unofficial Witness

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

[Handwritten Signature]  
Notary Public

My Commission Expires: April 1, 2026

Veronica Edwards, Authorized Representative  
Signatory's Name and Title (printed)

(Notary Seal)



Owner's Address: 5501 Headquarters Dr.  
Ste. 300W  
Plano, TX 75024

[Signatures continued on next page.]

Signed, sealed and delivered this \_\_\_\_ day  
of \_\_\_\_\_, 2024 in the  
presence of:

FULTON COUNTY, GEORGIA a political  
subdivision of the State of Georgia

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Robert L. Pitts, Chairman  
Fulton County Board of Commissioners

\_\_\_\_\_  
[Notarial Seal]

ATTEST:

APPROVED AS TO FORM:

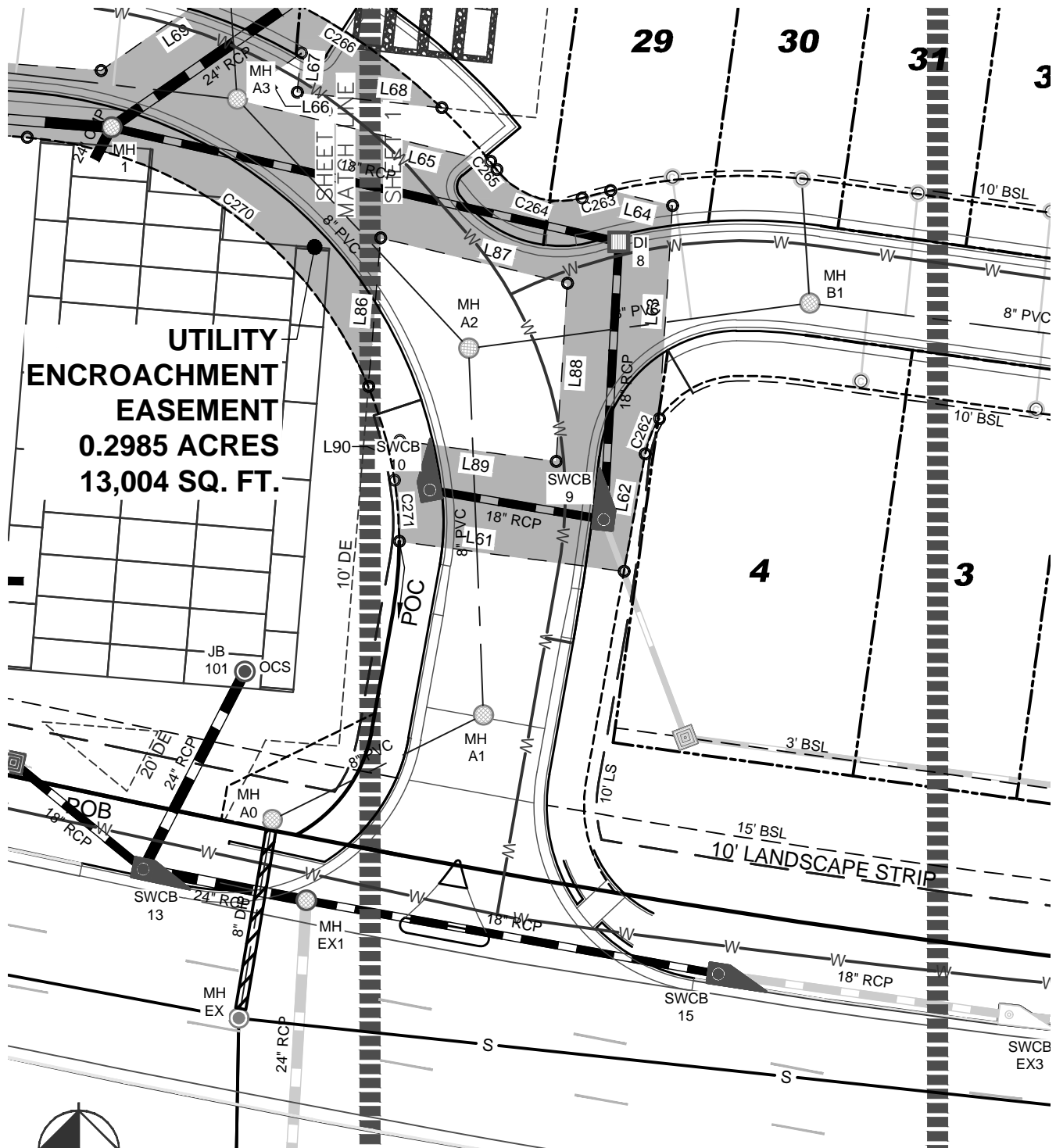
\_\_\_\_\_  
Y. Soo Jo, County Attorney

\_\_\_\_\_  
Tonya R. Grier  
Clerk to the Commission

APPROVED AS TO CONTENT:

\_\_\_\_\_  
David E. Clark, Director  
Department of Public Works

EXHIBIT "A"



**UTILITY  
ENCROACHMENT  
EASEMENT  
0.2985 ACRES  
13,004 SQ. FT.**



A B  
09/17/25

# PARK WALLE II

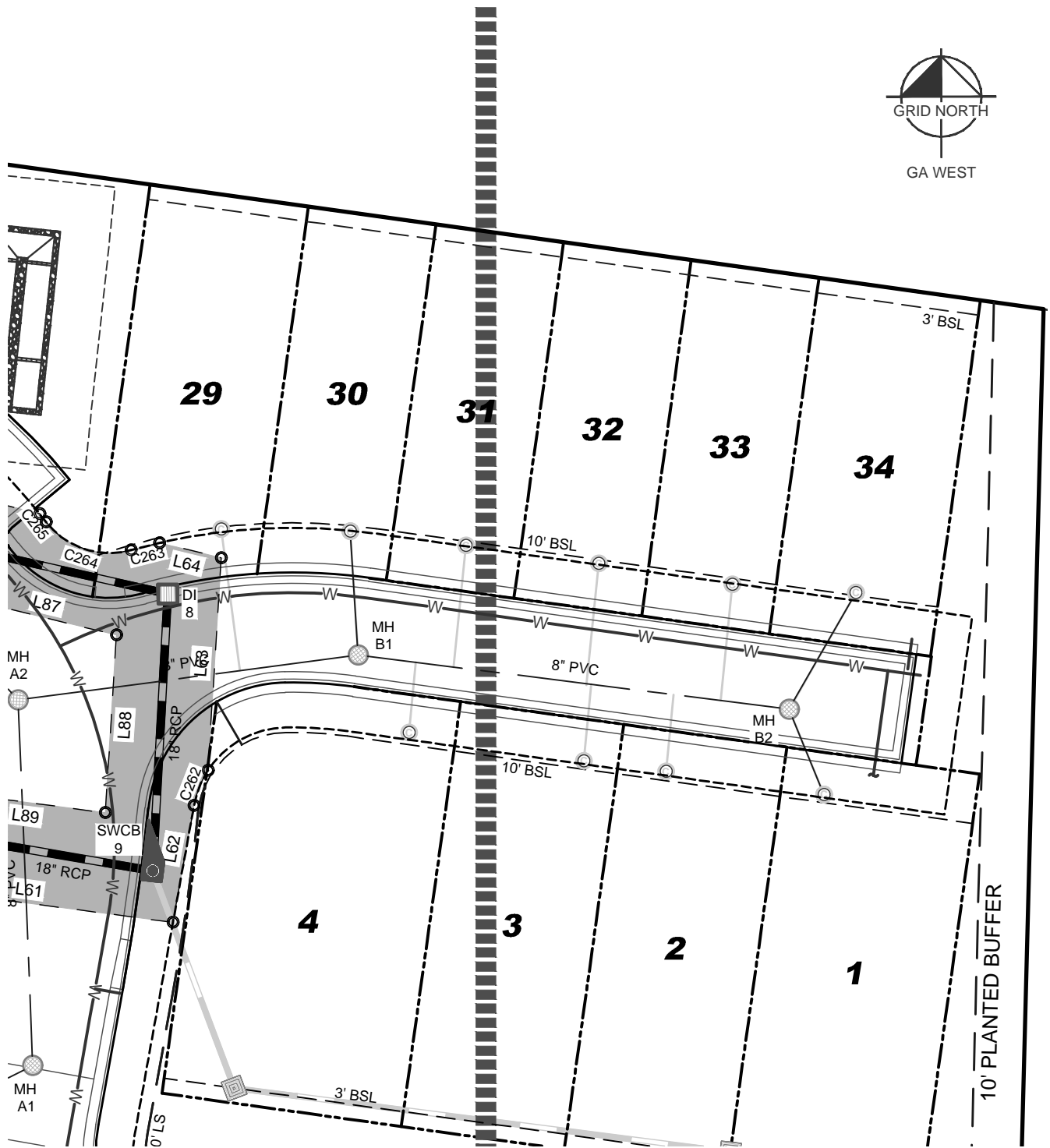
UTILITY EASEMENT ENCROACHMENT  
EXHIBIT, CITY OF ALPHARETTA  
FULTON COUNTY, GEORGIA

KEVIN PATE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 3499  
3930 EAST JONES BRIDGE,  
SUITE 350  
PEACHTREE CORNERS, GEORGIA  
30092 PH. (470) 579-5064  
KEVIN.PATE@kimley-horn.com

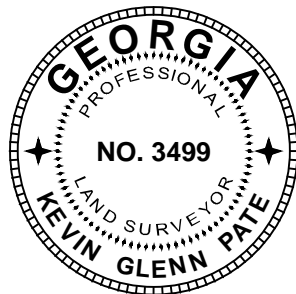


**Kimley»Horn**  
3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	KGP	BDP	Sep. 2025	019913051	1 OF 7



KEVIN PATE  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 3499  
 3930 EAST JONES BRIDGE,  
 SUITE 350  
 PEACHTREE CORNERS, GEORGIA  
 30092 PH. (470) 579-5064  
 KEVIN.PATE@kimley-horn.com



A B  
 09/17/25

## PARK WALKE II

UTILITY EASEMENT ENCROACHMENT  
 EXHIBIT, CITY OF ALPHARETTA  
 FULTON COUNTY, GEORGIA

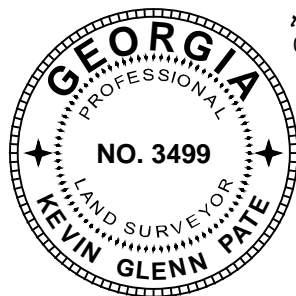
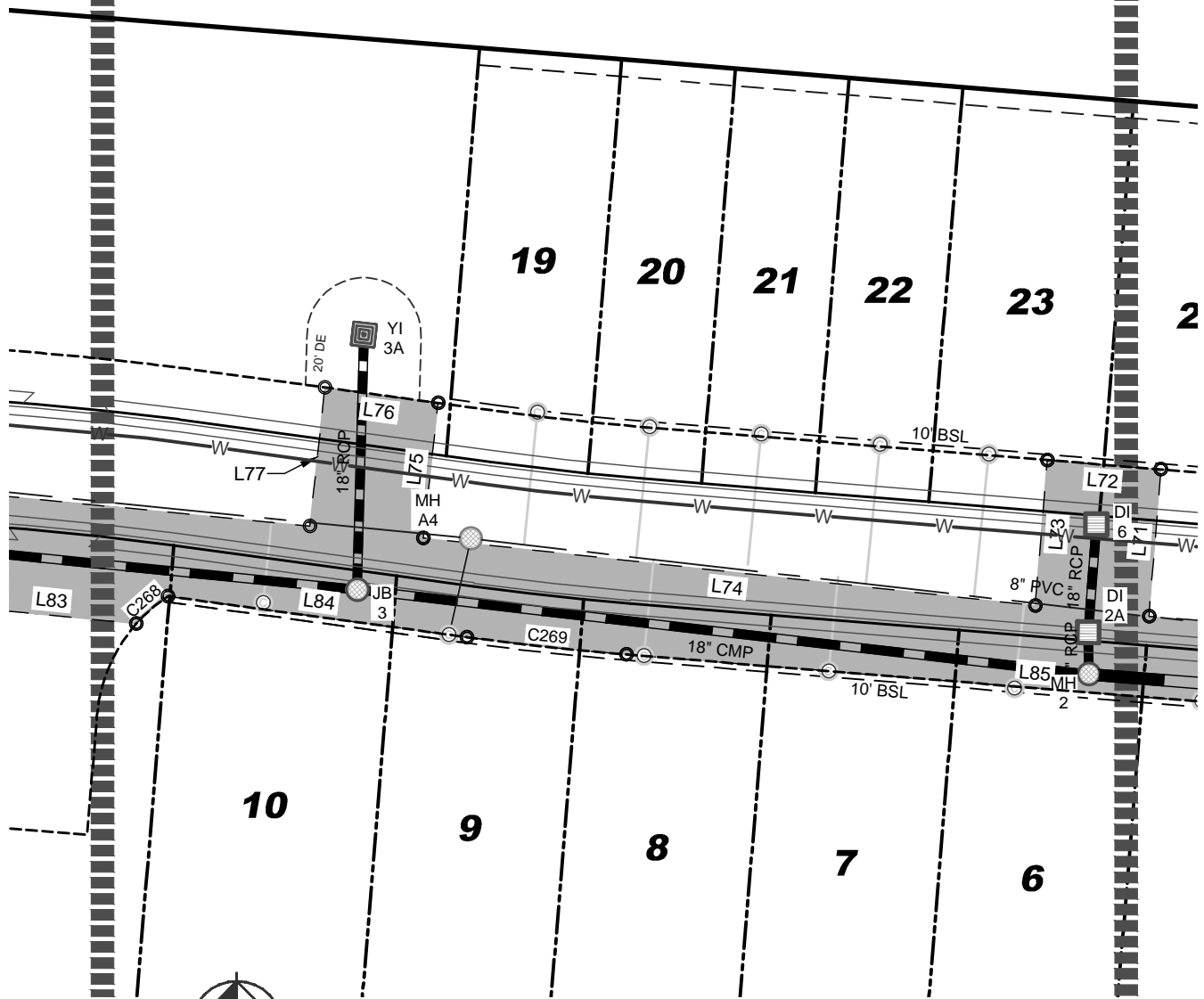
# Kimley»Horn

3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
 PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	KGP	BDP	Sep. 2025	019913051	2 OF 7



# PARK WALKE I SUBDIVISION



KEVIN PATE  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 3499  
 3930 EAST JONES BRIDGE,  
 SUITE 350  
 PEACHTREE CORNERS, GEORGIA  
 30092 PH. (470) 579-5064  
 KEVIN.PATE@kimley-horn.com

A B  
 09/17/25

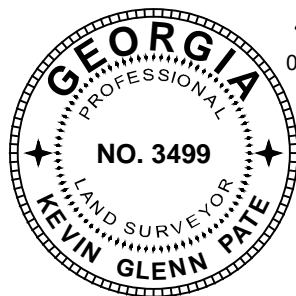
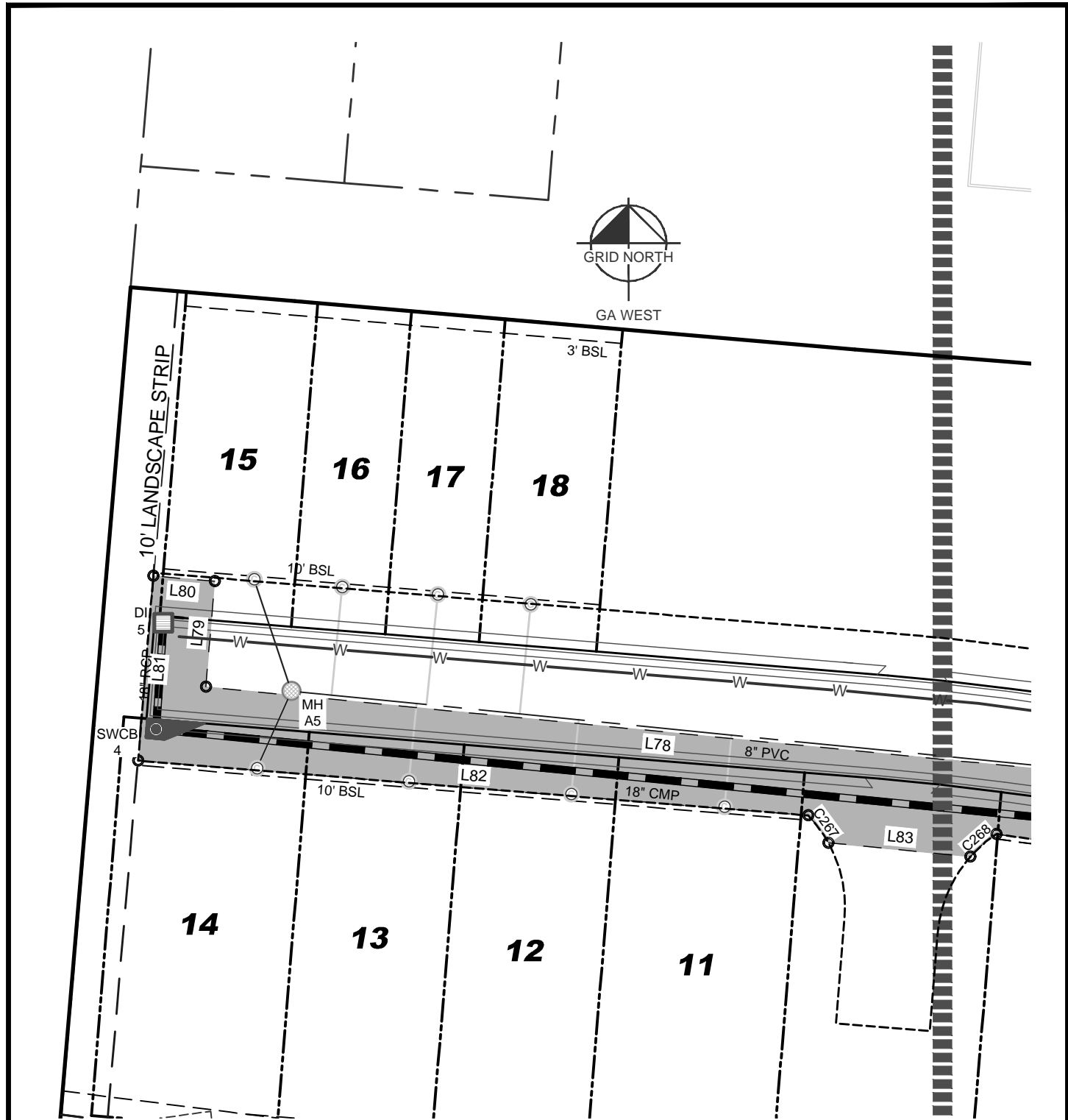
## PARK WALKE II

UTILITY EASEMENT ENCROACHMENT  
 EXHIBIT, CITY OF ALPHARETTA  
 FULTON COUNTY, GEORGIA

# Kimley»Horn

3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
 PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	KGP	BDP	Sep. 2025	019913051	4 OF 7



A B  
09/17/25

# PARK WALKE II

UTILITY EASEMENT ENCROACHMENT  
EXHIBIT, CITY OF ALPHARETTA  
FULTON COUNTY, GEORGIA

KEVIN PATE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 3499  
3930 EAST JONES BRIDGE,  
SUITE 350  
PEACHTREE CORNERS, GEORGIA  
30092 PH. (470) 579-5064  
KEVIN.PATE@kimley-horn.com

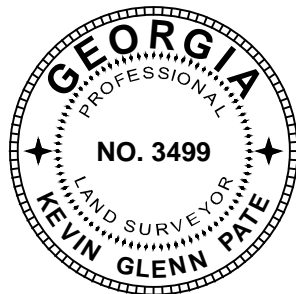
**Kimley»Horn**  
3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	KGP	BDP	Sep. 2025	019913051	5 OF 7

Parcel Table				
Line #/Curve #	Radius	Length	Bearing	Distance
C262	19.00'	7.61'	S21°41'35"W	7.56'
C263	120.00'	5.90'	N75°44'16"E	5.90'
C264	16.00'	19.00'	S71°38'41"E	17.91'
C265	119.00'	2.10'	S38°12'32"E	2.10'
C266	119.00'	49.09'	S57°31'58"E	48.74'
C267	28.00'	7.22'	N36°31'16"W	7.20'
C268	28.00'	7.31'	S48°53'19"W	7.29'
C269	520.00'	28.11'	N83°46'14"W	28.11'
C270	81.00'	88.83'	N53°54'13"W	84.44'
C271	81.00'	12.30'	N4°19'10"W	12.29'
L61			N82°26'59"W	45.32'
L62			S10°12'55"W	23.82'
L63			S3°34'12"W	42.68'
L64			S76°20'45"E	12.74'
L65			S76°20'45"E	52.60'
L66			S55°12'24"W	16.23'
L67			N6°02'19"E	7.90'
L68			N83°57'41"W	29.02'
L69			N55°12'24"E	32.84'
L70			S85°38'38"E	66.27'

Parcel Table				
Line #/Curve #	Radius	Length	Bearing	Distance
L71			S4°37'45"W	25.85'
L72			S85°19'10"E	20.00'
L73			N4°37'45"E	25.61'
L74			S83°40'47"E	107.94'
L75			S6°12'07"W	23.80'
L76			S82°13'42"E	20.01'
L77			N6°12'07"E	24.43'
L78			S84°23'12"E	193.75'
L79			S4°54'45"W	22.51'
L80			S85°05'15"E	13.12'
L81			N4°40'50"E	39.33'
L82			N85°19'10"W	142.79'
L83			N84°23'12"W	30.30'
L84			N82°13'19"W	52.92'
L85			N85°19'10"W	143.46'
L86			S4°40'50"W	29.78'
L87			N76°20'45"W	38.42'
L88			N3°34'12"E	35.69'
L89			S82°26'59"E	31.53'
L90			N7°33'01"E	7.97'

KEVIN PATE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 3499  
3930 EAST JONES BRIDGE,  
SUITE 350  
PEACHTREE CORNERS, GEORGIA  
30092 PH. (470) 579-5064  
KEVIN.PATE@kimley-horn.com



**PARK WALKE II**  
UTILITY EASEMENT ENCROACHMENT  
EXHIBIT, CITY OF ALPHARETTA  
FULTON COUNTY, GEORGIA

**Kimley»Horn**

3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	KGP	BDP	Sep. 2025	019913051	6 OF 7

PROPERTY DESCRIPTION – PARK WALLE II UTILITY ENCROACHMENT EASEMENT

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

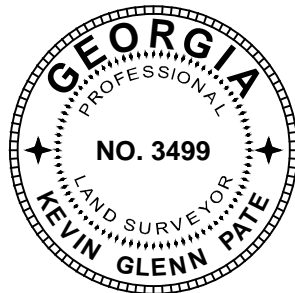
COMMENCING at a point at the intersection of the easterly right of way line of Haynes Bridge Road (right of way varies) and the northerly right of way line of Old Milton Parkway (right of way varies); THENCE proceeding along said right of way line of Old Milton Parkway the following courses and distances: South 82 degrees 47 minutes 25 seconds East a distance of 35.23 feet to a point; THENCE South 82 degrees 47 minutes 24 seconds East a distance of 31.41 feet to a point; THENCE along a curve to the right with a radius of 3,763.00 feet and an arc length of 68.17 feet, said curve having a chord bearing of South 82 degrees 17 minutes 16 seconds East and a chord distance of 68.17 feet to a point; THENCE along a curve to the right with a radius of 3,897.97 feet and an arc length of 155.48 feet, said curve having a chord bearing of South 80 degrees 38 minutes 34 seconds East and a chord distance of 155.47 feet to a point; THENCE South 00 degrees 42 minutes 49 seconds West a distance of 10.29 feet to a point; THENCE along a curve to the right with a radius of 3,884.72 feet and an arc length of 95.10 feet, said curve having a chord bearing of South 78 degrees 43 minutes 52 seconds East and a chord distance of 95.10 feet to a point; THENCE South 78 degrees 01 minutes 48 seconds East a distance of 66.36 feet to a point; THENCE along a curve to the left with a radius of 2,129.23 feet and an arc length of 32.22 feet, said curve having a chord bearing of South 78 degrees 26 minutes 50 seconds East and a chord distance of 32.22 feet to a point THENCE leaving the northerly right of way line of Old Milton Parkway (right of way varies) and proceeding along the edge of a private access and utility easement known as Paley Drive (44' in width) along a curve to the left with a radius of 29.50 feet and an arc length of 26.51 feet, said curve having a chord bearing of North 35 degrees 58 minutes 19 seconds East and a chord distance of 25.63 feet to a point; THENCE North 10 degrees 13 minutes 34 seconds East a distance of 23.99 feet to a point; THENCE along a curve to the left with a radius of 81.00 feet and an arc length of 14.40 feet, said curve having a chord bearing of North 05 degrees 07 minutes 26 seconds East and a chord distance of 14.38 feet to a point; said point being the POINT OF BEGINNING.

THENCE from said POINT OF BEGINNING along a curve to the left with a radius of 81.00 feet and an arc length of 12.30 feet, said curve having a chord bearing of North 04 degrees 19 minutes 10 seconds West and a chord distance of 12.29 feet to a point; THENCE North 07 degrees 33 minutes 01 seconds East a distance of 7.97 feet to a point; THENCE South 82 degrees 26 minutes 59 seconds East a distance of 31.53 feet to a point; THENCE North 03 degrees 34 minutes 12 seconds East a distance of 35.69 feet to a point; THENCE North 76 degrees 20 minutes 45 seconds West a distance of 38.42 feet to a point; THENCE South 04 degrees 40 minutes 50 seconds West a distance of 29.78 feet to a point; THENCE along a curve to the left with a radius of 81.00 feet and an arc length of 88.83 feet, said curve having a chord bearing of North 53 degrees 54 minutes 13 seconds West and a chord distance of 84.44 feet to a point; THENCE North 85 degrees 19 minutes 10 seconds West a distance of 143.46 feet to a point; THENCE along a curve to the right with a radius of 520.00 feet and an arc length of 28.11 feet, said curve having a chord bearing of North 83 degrees 46 minutes 14 seconds West and a chord distance of 28.11 feet to a point;

THENCE North 82 degrees 13 minutes 19 seconds West a distance of 52.92 feet to a point; THENCE along a curve to the left with a radius of 28.00 feet and an arc length of 7.31 feet, said curve having a chord bearing of South 48 degrees 53 minutes 19 seconds West and a chord distance of 7.29 feet to a point; THENCE North 84 degrees 23 minutes 12 seconds West a distance of 30.30 feet to a point; THENCE along a curve to the left with a radius of 28.00 feet and an arc length of 7.22 feet, said curve having a chord bearing of North 36 degrees 31 minutes 16 seconds West and a chord distance of 7.20 feet to a point; THENCE North 85 degrees 19 minutes 10 seconds West a distance of 142.79 feet to a point; THENCE North 04 degrees 40 minutes 50 seconds East a distance of 39.33 feet to a point; THENCE South 85 degrees 05 minutes 15 seconds East a distance of 13.12 feet to a point; THENCE South 04 degrees 54 minutes 45 seconds West a distance of 22.51 feet to a point; THENCE South 84 degrees 23 minutes 12 seconds East a distance of 193.75 feet to a point; THENCE North 06 degrees 12 minutes 07 seconds East a distance of 24.43 feet to a point; THENCE South 82 degrees 13 minutes 42 seconds East a distance of 20.01 feet to a point; THENCE South 06 degrees 12 minutes 07 seconds West a distance of 23.80 feet to a point; THENCE South 83 degrees 40 minutes 47 seconds East a distance of 107.94 feet to a point; THENCE North 04 degrees 37 minutes 45 seconds East a distance of 25.61 feet to a point; THENCE South 85 degrees 19 minutes 10 seconds East a distance of 20.00 feet to a point; THENCE South 04 degrees 37 minutes 45 seconds West a distance of 25.85 feet to a point; THENCE South 85 degrees 38 minutes 38 seconds East a distance of 66.27 feet to a point; THENCE North 55 degrees 12 minutes 24 seconds East a distance of 32.84 feet to a point; THENCE along a curve to the right with a radius of 119.00 feet and an arc length 9.09 feet, said curve having a chord bearing of South 57 degrees 31 minutes 58 seconds East and a chord distance 8.74 feet to a point; THENCE North 83 degrees 57 minutes 41 seconds West a distance of 29.02 feet to a point; THENCE North 06 degrees 02 minutes 19 seconds East a distance of 7.90 feet to a point; THENCE South 55 degrees 12 minutes 24 seconds West a distance of 16.23 feet to a point; THENCE South 76 degrees 20 minutes 45 seconds East a distance of 52.60 feet to a point; THENCE along a curve to the right with a radius of 119.00 feet and an arc length of 2.10 feet, said curve having a chord bearing of South 38 degrees 12 minutes 32 seconds East and a chord distance of 2.10 feet to a point; THENCE along a curve to the left with a radius of 16.00 feet and an arc length of 19.00 feet, said curve having a chord bearing of South 71 degrees 38 minutes 41 seconds East and a chord distance of 17.91 feet to a point; THENCE along a curve to the right with a radius of 120.00 feet and an arc length of 5.90 feet, said curve having a chord bearing of North 75 degrees 44 minutes 16 seconds East and a chord distance of 5.90 feet to a point; THENCE South 76 degrees 20 minutes 45 seconds East a distance of 12.74 feet to a point; THENCE South 03 degrees 34 minutes 12 seconds West a distance 2.68 feet to a point; THENCE along a curve to the left with a radius of 19.00 feet and an arc length of 7.61 feet, said curve having a chord bearing of South 21 degrees 41 minutes 35 seconds West and a chord distance of 7.56 feet to a point; THENCE South 10 degrees 12 minutes 55 seconds West a distance of 23.82 feet to a point; THENCE North 82 degrees 26 minutes 59 seconds West a distance 5.32 feet to a point; said point being the POINT OF BEGINNING.

Said tract or parcel contains 13,004 square feet or 0.2985 acre of land.

KEVIN PATE  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 3499  
 3930 EAST JONES BRIDGE,  
 SUITE 350  
 PEACHTREE CORNERS, GEORGIA  
 30092 PH. (470) 579-5064  
 KEVIN.PATE@kimley-horn.com



**PARK WALLE II**  
 UTILITY EASEMENT ENCROACHMENT  
 EXHIBIT, CITY OF ALPHARETTA  
 FULTON COUNTY, GEORGIA

**Kimley»Horn**

3930 EAST JONES BRIDGE RD., SUITE 350 Tel. No. (470) 579-5064  
 PEACHTREE CORNERS, GEORGIA COA # 1412

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = ##	KGP	BDP	Sep. 2025	019913051	7 OF 7