

Fulton County Board of Commissioners Agenda Item Summary

BOC Meeting Date 3/18/2020

Requesting Agency

Commission Districts Affected

Real Estate and Asset Management

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

Request approval of three (3) Water Vault Easement Dedications together consisting of 182.0 square feet to Fulton County, a political subdivision of the State of Georgia from OHC Birmingham, LLC, for the purpose of constructing the Crossroads Project at 15755 Birmingham Hwy, 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 sum of the action that gives an overview of the relevant details for the item.)	mary
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Scope of Work: The proposed Crossroads Project, a commercial and medical building development, requires the construction of three water vaults. Fulton County development regulations require that all new water line connections acknowledge Fulton County's legal access to the area(s) in which a water service line connection is being made prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed consists of 182.0 square feet and is located in Land Lot 380 of the 2nd District, 2nd Section of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's water system and the addition of a new commercial and medical building development.

Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.

Agency Director Approval	County Manager's	
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	Approval
Signature	Date	

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

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 water system once the proposed improvements are installed.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

History of BOC Agenda Item: None.

Agency Director Approval	County Manager's	
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	Approval
Signature Revised 03/12/09 (Previous versions are obsolete)	Date	

Solicitation Information No. Bid Notices Sent:	NON-MFBE	MBE	FBE	TOTAL
No. Bids Received:				
Total Contract Value	•			
Total M/FBE Values	-			
Total Prime Value				
Fiscal Impact / Funding		source of funds, an	d any future fundi	
By acceptance of these of approximately \$125.0		sement dedication	ons, the County	v saves land acquisition costs
Exhibits Attached		(Provide copies of exhibits in the uppe		exhibits consecutively, and label all
Exhibit 1 – Water Vault I	Easement Ag		6	
	oformation	(Type Name, Title,	Agency and Phon	9)
Source of Additional Ir	normation		5 7	/

Agency Director Approval	County Manager's	
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	Approval
Signature	Date	

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

Procurement					
Contra	ct Attached:	Previous Contracts:			
Solicita	ation Number:	Submitting Agency:	Staff Contact:	Contact Phone:	
Descrip	otion:.				
		FINANC	IAL SUMMARY		
Total C	ontract Value:		MBE/FBE Participatio	n:	
Original Approved Amount: .		Amount: .	%:.		
Previo	us Adjustments:		Amount: .	%:.	
		Amount: .	%:.		
TOTAI	L:		Amount: .	%:.	
Grant I	nformation Sun	nmary:			
Amour	nt Requested:		Cash		
Match	Required:		In-Kind		
Start D	Date:		Approval to A	ward	
End Da			Apply & Acce	ept	
Match	Account \$:				
Fundin	g Line 1:	Funding Line 2:	Funding Line 3:	Funding Line 4:	
		•	•	· .	
			ITRACT TERMS		
Start D	ate:	End Date:			
Cost Adjustment: Renewal/Extension Terms:					
ROUTING & APPROVALS (Do not edit below this line)					
Х	Originating Dep	partment:	Davis, Joseph	Date: 3/9/2020	
Х	County Attorne		Stewart, Denval	Date: 3/8/2020	
		ntract Compliance:		Date: .	
		t Analyst/Grants Admin		Date: .	
	Grants Manage			Date: .	
Х	County Manage		Anderson, Dick	Date: 3/9/2020	

[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 : Tax Parcel Identification No.: Land Disturbance Permit No.: Zoning/Special Use Permit No.: (if applicable)

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19-1	OJEWR

For Fulton Co	uniy Ose Oniy
Approval Date:	2/14/20
Initials:	Zula

WATER VAULT EASEMENT (Corporate Form)

STATE OF GEORGIA, COUNTY OF FULTON

This indenture entered into this 28^{+1}	day of <u>August</u> , 20 <u>19</u> , betwee
OHC Birmingham LLC	, a corporation duly organized under
the laws of the State of Georgia	, party of the first part (hereinafter referred to as Grantor), an

FULTON COUNTY, a Political Subdivision of the State of Georgia, party of the second part.

<u>WITNESSETH</u>, that for and in consideration of \$1.00 cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefit which will accrue to the undersigned from the installation of a water vault, water meter, and appurtenances on subject property, and in consideration of the benefits which will accrue to the subject property from the installation of a water vault, water meter, and appurtenances on the subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to the party of the second part and to successors and assigns the right, title, and privilege of an easement on subject property located in land lot(s) <u>413</u> of the <u>2nd</u> District, <u>2nd</u> Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Crossroads

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, installation, access, maintenance and upgrade of a water vault, water meter and appurtenances according to the location and size of said water vault, water meter and appurtenances as shown on the map 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 water vault, water meter and appurtenances within the aforesaid boundaries of the abovedescribed easement.

For the same consideration, Grantor(s) hereby convey and relinquish to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on the water vault structure, water meter and appurtenances on both a routine and emergency basis.

Grantor hereby warrants that it has the right to sell and convey this 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 water vault 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 installation, access, upgrade or maintenance of said water vault, water meter and appurtenances for the use of the property as herein agreed.

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

GRANTOR:

Signed, sealed and delivered this day of AUGi in the presence of:

Witness

By: Broswe Print Name: Title: anage By: Print Name: Title:

Birmingham LLC.

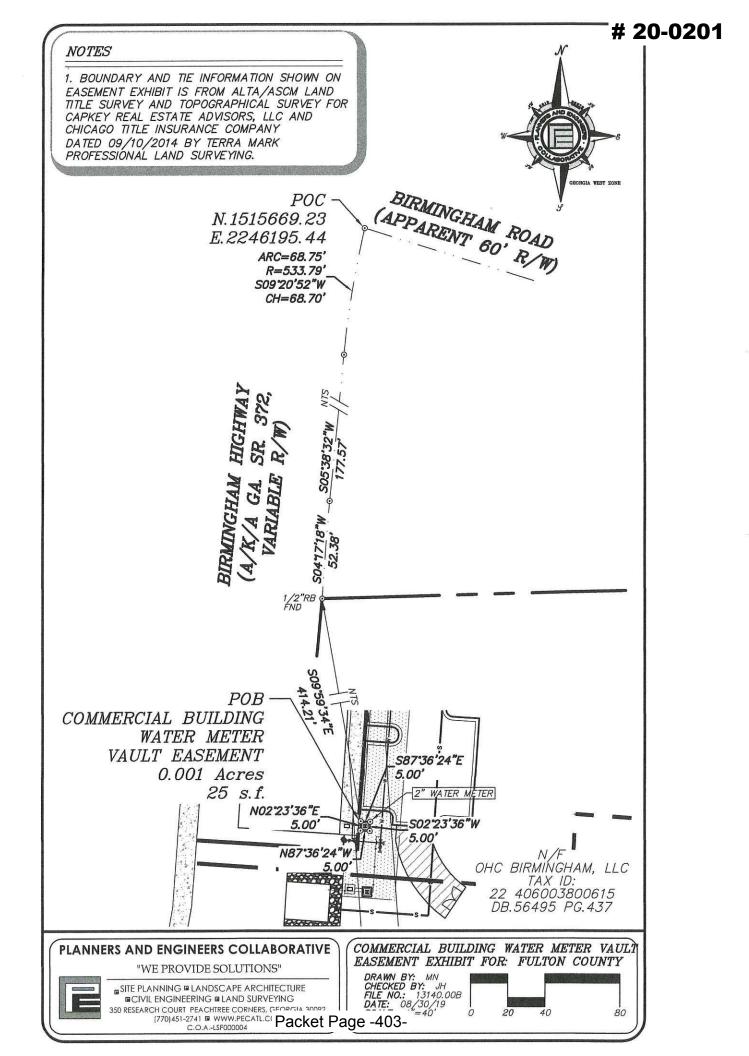
[CORPORATE SEAL]

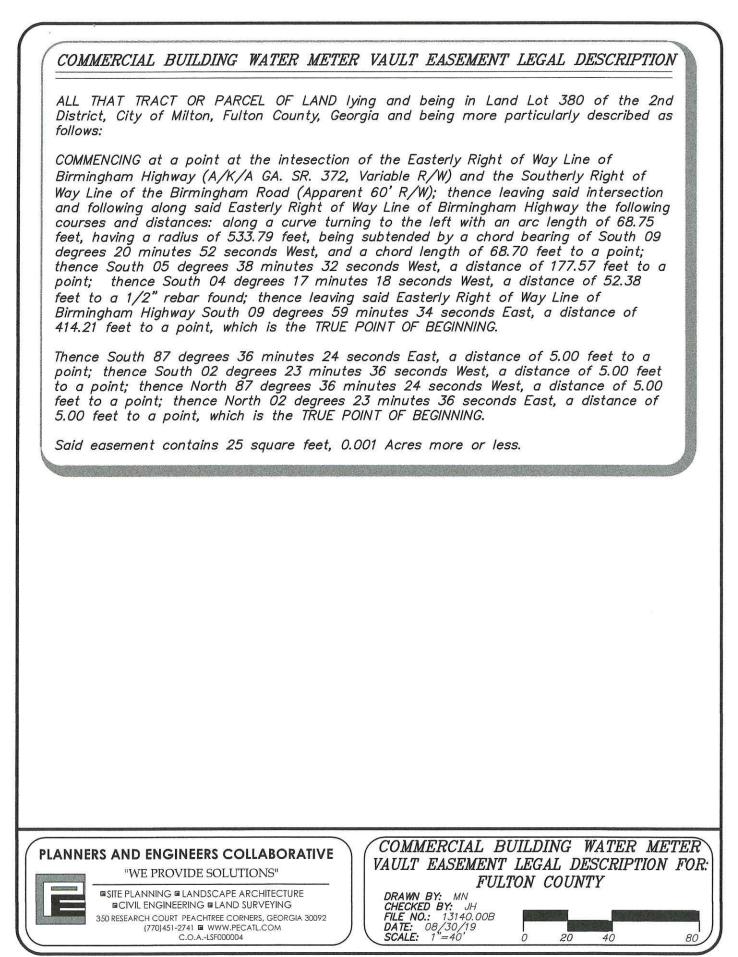
Notary Public



Water Vault Easement - Corporation Revised 08/20/2007

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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)

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For Fulton Con	unty Use Only
Approval Date:	2/14/20
-	

WATER VAULT EASEMENT (Corporate Form)

STATE OF GEORGIA, COUNTY OF FULTON

This indenture entered into this	28^{H} day of	august	, 20 <u>19</u> , between
OHC Birmingham LLC		, a cor	poration duly organized under
the laws of the State of Georgia	, party	v of the first part (hereinafte	er referred to as Grantor), and

FULTON COUNTY, a Political Subdivision of the State of Georgia, party of the second part.

<u>WITNESSETH</u>, that for and in consideration of \$1.00 cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefit which will accrue to the undersigned from the installation of a water vault, water meter, and appurtenances on subject property, and in consideration of the benefits which will accrue to the subject property from the installation of a water vault, water meter, and appurtenances on the subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to the party of the second part and to successors and assigns the right, title, and privilege of an easement on subject property located in land lot(s) <u>413</u> of the <u>2nd</u> District, <u>2nd</u> Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Crossroads

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, installation, access, maintenance and upgrade of a water vault, water meter and appurtenances according to the location and size of said water vault, water meter and appurtenances as shown on the map 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 water vault, water meter and appurtenances within the aforesaid boundaries of the abovedescribed easement.

For the same consideration, Grantor(s) hereby convey and relinquish to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on the water vault structure, water meter and appurtenances on both a routine and emergency basis.

Grantor hereby warrants that it has the right to sell and convey this 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 water vault easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

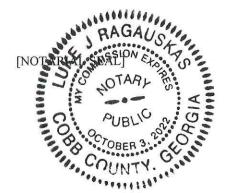
Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the installation, access, upgrade or maintenance of said water vault, water meter and appurtenances for the use of the property as herein agreed.

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

Signed, sealed and delivered this day of 20 Ai in the presence of

Witness

Notary Public



GRANTOR:

Birmingham LLC.

By: Print Name:

Title:

Print Name:

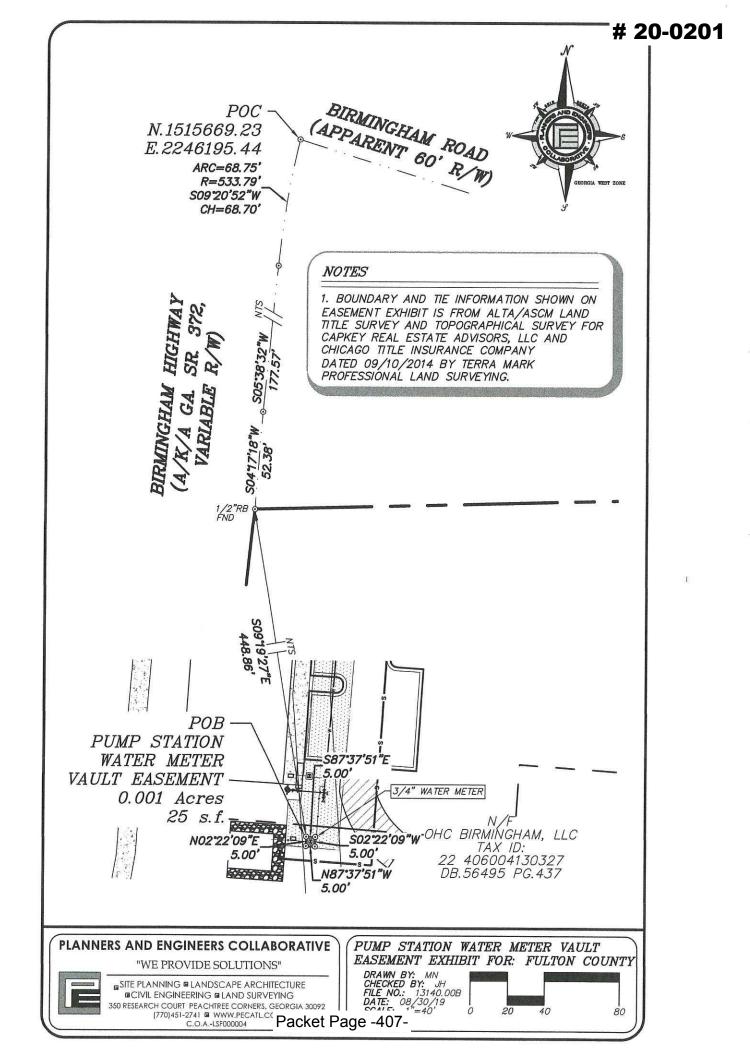
Title:

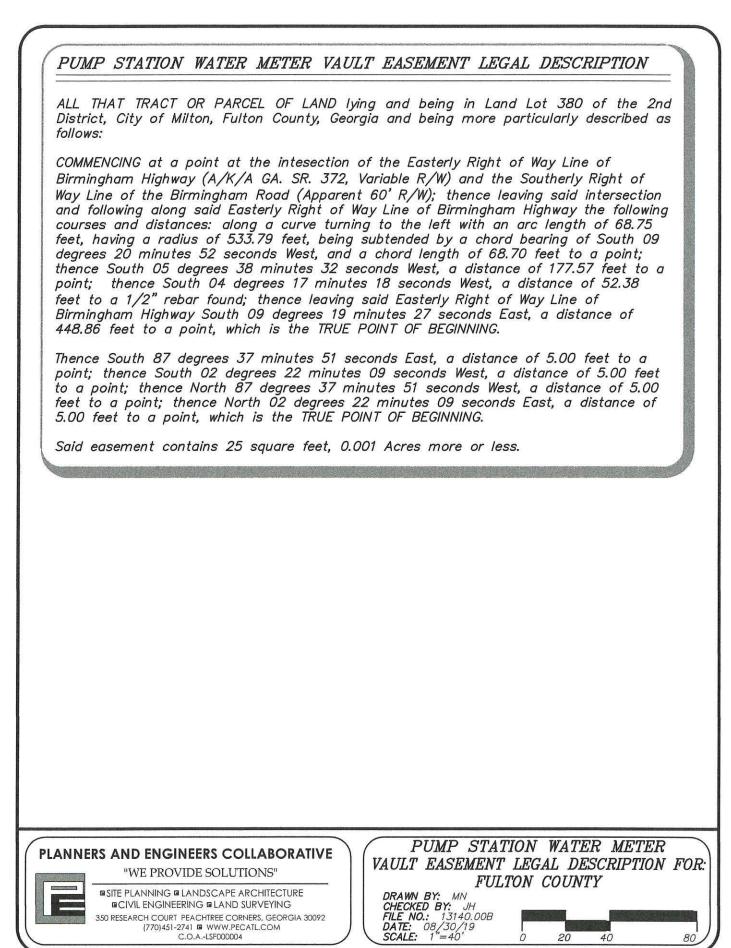
By:

[CORPORATE SEAL]

Water Vault Easement - Corporation Revised 08/20/2007

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19-	UD9 WR	

For Fulton Co	ounty Use Only
Approval Date:	2(14/20
Initials:	Tester

WATER VAULT EASEMENT (Corporate Form)

STATE OF GEORGIA, COUNTY OF FULTON

This indenture entered into this	3rd day of September	, 20 <u>19</u> , between	
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the laws of the State of Georgia	, party of the first part (hereinafter	, 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.

<u>WITNESSETH</u>, that for and in consideration of \$1.00 cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefit which will accrue to the undersigned from the installation of a water vault, water meter, and appurtenances on subject property, and in consideration of the benefits which will accrue to the subject property from the installation of a water vault, water meter, and appurtenances on the subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to the party of the second part and to successors and assigns the right, title, and privilege of an easement on subject property located in land lot(s) <u>380</u> of the <u>2nd</u> District, <u>2nd</u> Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Crossroads

Project Name

[See Exhibit "A" attached hereto and made a part hereof]

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For the same consideration, Grantor(s) hereby convey and relinquish to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on the water vault structure, water meter and appurtenances on both a routine and emergency basis.

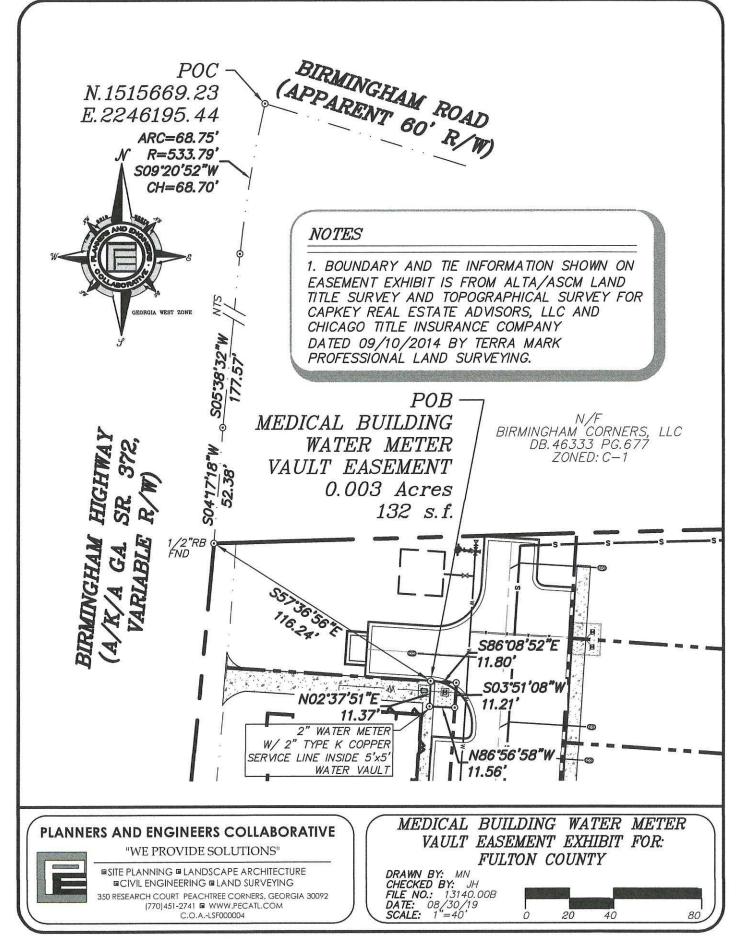
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IN WITNESS HEREOF said party of the first part has hereunto affixed its hand and seal on the day and year first above written.

GRANTOR: ISIRMINGHAM, LLC Signed, sealed and delivered this day of September 20 in the presence of: By: Witness Jh ASWELL Print Name: Title: By: Notary Public Print Name: Title: [NOTARIAL SEA [CORPORATE SEAL] THUNNIN Water Vault Easement - Corporation Revised 08/20/2007

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