



Fulton County Board of Commissioners
Agenda Item Summary

20-0678

BOC Meeting Date
10/7/2020

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 Water Line Easement Dedication of 5,306 square feet to Fulton County, a political subdivision of the State of Georgia from William A. Werkheiser, for the purpose of constructing the Farm at Sweetapple Project at 12950 Sweetapple Road, Milton, Georgia 30075.

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 Farm at Sweetapple Project, a residential development, requires the construction of a water line. Fulton County development regulations require that all new water connections acknowledge Fulton County's ownership interests in 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 5,306 square feet and is located in Land Lot 1072 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 six new single-family homes.

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

Project Implications: Easement dedications by the legal owner of record to Fulton County are made a part of public records and grant Fulton County access as necessary to perform construction, maintenance and upgrades to the water system once the proposed improvements are installed on the owner's property.

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.

Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>
--	--

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)

20-0678

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	.			
Total M/FBE Values	.			
Total Prime Value	.			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> By acceptance of this water line easement dedication, the County saves land acquisition cost of approximately \$1,200.00				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Water Line Easement Relocation Agreement				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Linda DuBose Alexander, Real Estate Specialist, Land Division, 404-612-7276				

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	

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

Continued

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.**FINANCIAL SUMMARY**

Total Contract Value:	MBE/FBE Participation:
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 \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
-----------------------------	-----------------------------	-----------------------------	-----------------------------

KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

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: 9/14/2020

[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 : The Farm at Sweetapple
 Tax Parcel Identification No.: 22 349010720105
 Land Disturbance Permit No.: 19-031WR
 Zoning/Special Use Permit No.: _____
 (if applicable)

For Fulton County Use Only

Approval Date: _____
 Initials: _____

**WATER LINE EASEMENT
 (Individual Form)**

STATE OF GEORGIA,
 COUNTY OF FULTON

This indenture entered into this 16 day of June, 2019, between William A. Werkheiser 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 water line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a water 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) 1072, 2nd Section (*if applicable*) of District 2, Fulton County, Georgia, and more particularly described as follows: To wit:

The Farm at Sweetapple

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 water line through my property according to the location and size of said

water 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 water 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 water line on both a routine and emergency basis.

I (We) hereby warrants (warrant) that I (we) have the right to sell and convey said water 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 water 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 water 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 16th
day of June, 20 19-20 J.L.
in the presence of:



[Signature]
Witness

By: [Signature] (L.S.)

[Signature]
Notary Public

Print Name: William Werkheiser (L.S.)

[NOTARIAL SEAL]

Signed, sealed and delivered this _____
day of _____, 20 19
in the presence of:

Witness

By: _____ (L.S.)

Notary Public

Print Name: _____ (L.S.)

[NOTARIAL SEAL]

TRACT ONE EASEMENT CLOSURE - 1:22,523

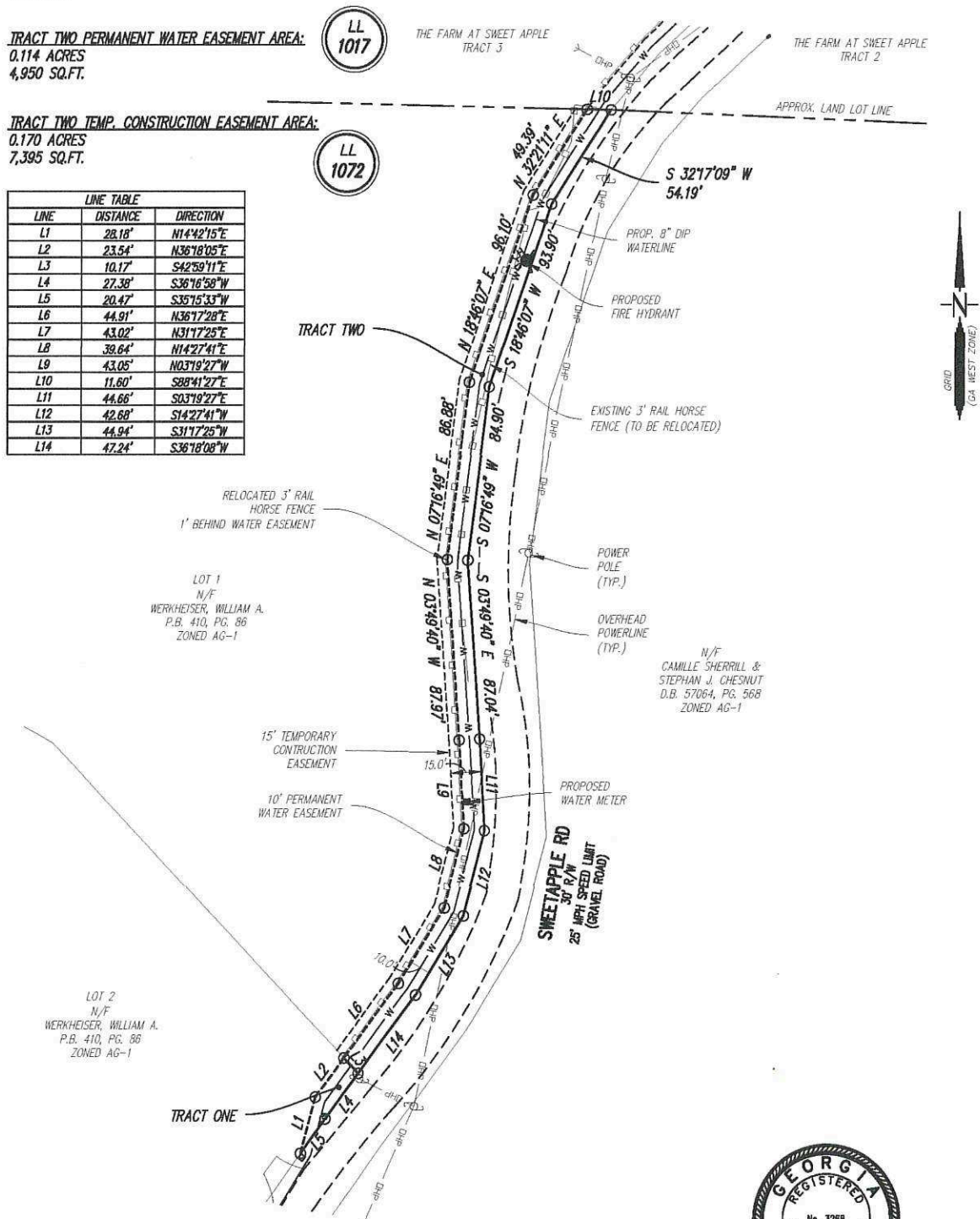
TRACT TWO EASEMENT CLOSURE - 1:208,674

TRACT ONE PERMANENT WATER EASEMENT AREA:
0.008 ACRES
356 SQ.FT.

TRACT TWO PERMANENT WATER EASEMENT AREA:
0.114 ACRES
4,950 SQ.FT.

TRACT TWO TEMP. CONSTRUCTION EASEMENT AREA:
0.170 ACRES
7,395 SQ.FT.

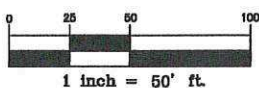
LINE TABLE		
LINE	DISTANCE	DIRECTION
L1	28.18'	N14°42'15"E
L2	23.54'	N36°18'05"E
L3	10.17'	S42°59'11"E
L4	27.39'	S36°16'58"W
L5	20.47'	S35°15'33"W
L6	44.91'	N36°17'28"E
L7	43.02'	N31°17'25"E
L8	38.64'	N14°27'41"E
L9	43.05'	N03°19'27"W
L10	11.60'	S88°41'27"E
L11	44.66'	S03°19'27"E
L12	42.68'	S14°27'41"W
L13	44.94'	S31°17'25"W
L14	47.24'	S36°18'08"W



WATER EASEMENT PLAT FOR:

FULTON COUNTY

LOCATED IN LAND LOT 1072
IN THE 2ND DISTRICT, 2ND SECTION
IN THE CITY OF MILTON
FULTON COUNTY, GEORGIA
SCALE: 1" = 50' DATE: SEPTEMBER 24, 2019



centerline

Surveying and Land Planning, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

LSF#001298

319036-WE

LEGAL DESCRIPTION

Water Easement

William A. Werkheiser Tract

All that tract or Parcel of land lying and being in Land Lot 1072, of the 2nd District, 2nd Section of Fulton County Georgia and the City of Milton and being more particularly described as follows:

To arrive at the POINT OF BEGINNING, commence at the intersection of the western Right of Way of Sweetapple Road(30' R/W) with the Land Lot line common to Land Lots 1017 and 1072 of the 2nd District, 2nd Section of Fulton County, said point being the POINT OF BEGINNING.

From the POINT OF BEGINNING as thus established, proceed along the western right of way of Sweetapple Road, S32°17'09"W, a distance of 54.19' to a point; thence S18°46'07"W, a distance of 93.90' to a point; thence S07°16'49"W, a distance of 84.90' to a point; thence S03°49'40"E, a distance of 87.04' to a point; thence S03°19'27"E, a distance of 44.66' to a point; thence S14°27'41"W, a distance of 42.68' to a point; thence S31°17'25"W, a distance of 44.94' to a point; thence S36°18'08"W, a distance of 47.24' to a point; thence S36°16'58"W, a distance of 27.38' to a point; thence S35°15'33"W, a distance of 20.47' to a point; thence leaving said right of way, proceed N14°42'15"E, a distance of 28.18' to a point; thence N36°18'05"E, a distance of 23.54' to a point; thence N36°17'28"E, a distance of 44.91' to a point; thence N31°17'25"E, a distance of 43.02' to a point; thence N14°27'41"E, a distance of 39.64' to a point; thence N03°19'27"W, a distance of 43.05' to a point; thence N03°49'40"W, a distance of 87.97' to a point; thence N07°16'49"E, a distance of 86.88' to a point; thence N18°46'07"E, a distance of 96.10' to a point; thence N32°21'11"E, a distance of 49.39' to a point; thence S88°42'40"E, a distance of 11.60' to a point, said point being the POINT OF BEGINNING.

Said tract or parcel contains 0.122 acres or 5,306 square feet, as shown on the Water Easement plat for Fulton County, prepared by Centerline Surveying and Land Planning, Inc. dated September 24, 2019.