



## EASEMENT DEDICATION INFORMATION SUMMARY

Fulton County Land Division  
141 Pryor Street, Suite 8021  
Atlanta, Georgia 30303  
404-612-7870  
404-730-7877 (fax)

### FOR FULTON COUNTY USE ONLY

Project Name: \_\_\_\_\_ LDP Number: \_\_\_\_\_  
Development Type: \_\_\_\_\_ Zoning/Special Use Number: \_\_\_\_\_  
Easement Width (in Feet) \_\_\_\_\_  
Easement Type (circle one)      Sewer      Water Vault      Water Line  
Approval Date & Initials \_\_\_\_\_

### PETITIONER INFORMATION

(\*\* Please attach business card if available \*\*)

Developer Name: \_\_\_\_\_ Caliber Alpharetta Windward Op Co, LLC  
Name of Entity or Person Dedicating Property:  
(if different than above) \_\_\_\_\_ Realty Income Magellan, LLC  
Contact Person: \_\_\_\_\_ Attn: Dan Brown  
Contact Company (if different than above): \_\_\_\_\_  
Contact Phone Number: \_\_\_\_\_ 404-353-7387  
Contact E-mail Address: \_\_\_\_\_ dbrown@calibercarwash.com

### SITE INFORMATION (TO BE COMPLETED BY PETITIONER)

District Number: 2nd Section Number\*: 2nd Land Lot(s): 1187  
\*(if applicable)

Tax Parcel Identification Number(s) of the parcel(s) from  
which the easement is being dedicated (Please note if  
property is a parent parcel to be subdivided): 22-5450-1187-063-9

If the property to be developed was purchased within past  
three years, please provide the following information:  
Sales price: N/A  
Sales date: \_\_\_\_\_  
Total acreage \_\_\_\_\_

Do you anticipate that ownership of the parcel(s) from  
which the easement is being dedicated will change within  
the next 60 days? (If yes, please provide date) No

\*\*\* THESE DOCUMENTS MAY ONLY BE RECORDED BY A REPRESENTATIVE OF THE LAND DIVISION.  
PLEASE DO NOT ATTEMPT TO RECORD THEM ON YOUR OWN. THANK YOU.\*\*\*

Cross Reference:  
Book \_\_\_\_\_ Page \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

[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 : Caliber Car Wash - 5570 Windward  
Tax Parcel Identification No.: 22545011870639  
Land Disturbance Permit No.: Alpharetta 22044, Fulton Co WRN 22-040  
Zoning/Special Use Permit No.: \_\_\_\_\_  
(if applicable)

*For Fulton County Use Only*

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

**WATER VAULT EASEMENT RELOCATION  
(Corporate Form)**

STATE OF GEORGIA,  
COUNTY OF FULTON

This indenture entered into this 6th day of June, 2023, between REALTY INCOME MAGELLAN, LLC, a ~~corporation~~ <sup>limited liability company</sup> duly organized under the laws of the State of Delaware, 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.

WITNESSETH, 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 relocation and 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 relocation and 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 the subject property located in land lot(s) 1187 of the 2nd District, 2nd Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Caliber Car Wash - 5570 Winward Parkway Alpharetta, GA

*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, relocation, 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 above-described easement.

#### **Special Provision**

Said water vault easement was originally recorded in the Fulton County records in Deed Book 36536, page(s) 56. The Grantor has requested that the original water vault alignment associated with the original easement be altered as shown on attached Exhibit "A". With the execution of this document, the original easement recorded in Deed Book 36536, page(s) 56 is considered modified to the extent that the description on the exhibits regarding the location of the water vault are revised herein. Said water vault easement modification shall not become effective until the new water vault alignment shown on Exhibit "A" has been installed to Fulton County standards and has been approved and accepted by the Fulton County Department of Public Works.

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 for the relocated water vault.

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 relocated 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 relocation, 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:

Realty Income Magellan, LLC,  
a Delaware limited liability company

By: Realty Income Corporation,  
a Maryland corporation,  
its sole and managing member

By:   
Its: SVP & Associate General Counsel  
Name: Daniel Haug

  
Witness: Gina M. Valloire

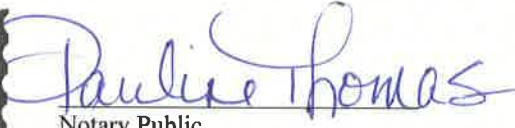
Approved As To Form  
Legal Department  
  
L. Tehrani

**ACKNOWLEDGMENT**

STATE OF ARIZONA            )  
  )  
COUNTY OF MARICOPA    )

On this 6th day of June, 2023 before me personally appeared Daniel Haug, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document as the SVP & Associate General Counsel of Realty Income Corporation, the sole and managing member of Realty Income Magellan, LLC, a Delaware limited liability company, on behalf thereof.



  
Notary Public

My Commission expires: 11/9/26

CALIBER CAR WASH  
 EASEMENT 1 - WATER VAULT & METER EASEMENT  
 EASEMENT 2 - DOMESTIC METER EASEMENT



NOTE:

1. EASEMENT 1 AREA CONTAINS AN EXISTING WATER VAULT & METER.
2. EASEMENT 2 AREA CONTAINS OPEN SPACE

NOW OR FORMERLY  
 ALICE MONTGOMERY  
 5580 WINDWARD PARKWAY  
 DB 55229 PG 474  
 TAX ID 22545011870654  
 ZONED C-2

N70°23'24"E  
 224.69

S25°05'18"E  
 190.09

NOW OR FORMERLY  
 REALTY INCOME ALPHARETTA WINDWARD, LLC  
 5570 WINDWARD PARKWAY  
 DB 58405 PG 450  
 TAX ID 22545011870639  
 ZONED C-2

NOW OR FORMERLY  
 PLAZA STAR ASSOCIATES, LLC  
 TAX ID 22545011870621

PRIVATE DRIVE

N07°40'12"W  
 62.31

N00°00'00"E  
 47.17

S69°03'02"W  
 51.59

EASEMENT 1  
 143.4 S.F.  
 0.003 ACRES

EASEMENT 2  
 25.0 S.F.  
 0.001 ACRES

S84°02'55"W  
 47.52

ARC=44.76' RAD=1346.00'  
 S70°24'53"W 44.76'

N10°46'36"W  
 30.64

S70°53'37"W  
 30.47

WINDWARD PARKWAY  
 RIGHT OF WAY VARIES

S72°25'16"W  
 37.05

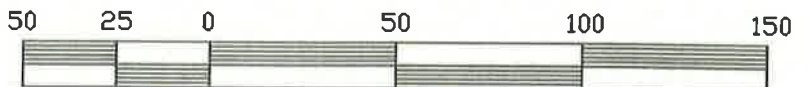
N58°18'52"W  
 46.28

POB #2  
 S81°50'56"W  
 20.85

L1	N79°05'25"E	16.01'
L2	S17°27'29"E	9.05'
L3	N72°31'13"E	3.50'
L4	S17°28'32"E	5.00'
L5	S81°50'56"W	6.70'
L6	N58°18'52"W	19.56'
L7	N13°55'58"W	5.00'
L8	N76°04'02"E	5.00'
L9	S13°55'58"E	5.00'
L10	S76°04'02"W	5.00'



DATE: 3/27/23



SCALE IN FEET  
 USE DIMENSIONS DO NOT SCALE DRAWING

EXHIBIT "A"

Site Description  
Easement 1  
Water Vault and Meter Easement  
#5570 Windward Parkway

All that tract or parcel of land lying and being in Land Lot 1187 of the 2<sup>nd</sup> District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point 81.97 feet left of and opposite station 22+39.82 on the construction centerline laid out for Windway Parkway Alignment on P.I. No. 0010768 - Project SR 400 at CS 9284/Windward Parkway;

Thence along the northerly Right of Way line of Windward Parkway North 72 Degrees 25 Minutes 16 Seconds East, 37.05 feet to a concrete Right of Way monument; thence continuing along the northerly Right of Way line of Windward Parkway South 58 Degrees 18 Minutes 52 Seconds East, 26.72 feet to a point and The Point of Beginning; thence leaving the northerly Right of Way line of Windward Parkway North 79 Degrees 05 Minutes 25 Seconds East, 16.01 feet to a point; thence South 17 Degrees 27 Minutes 29 Seconds East, 9.05 feet to a point; thence South 72 Degrees 31 Minutes 13 Seconds East, 3.50 feet to a point; thence South 17 Degrees 28 Minutes 32 Seconds East, 5.00 feet to a point on the northerly Right of Way of Windward Parkway; thence along the northerly Right of Way line of Windward Parkway South 81 Degrees 50 Minutes 56 Seconds West, 6.70 feet to a concrete monument; continuing along the northerly Right of Way line of Windward Parkway North 58 Degrees 18 Minutes 52 Seconds West, 19.56 feet to The Point of Beginning containing 0.003 acres.

Site Description  
Easement 2  
Domestic Meter Easement  
#5570 Windward Parkway

All that tract or parcel of land lying and being in Land Lot 1187 of the 2<sup>nd</sup> District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point 81.97 feet left of and opposite station 22+39.82 on the construction centerline laid out for Windway Parkway Alignment on P.I. No. 0010768 - Project SR 400 at CS 9284/Windward Parkway;

Thence along the northerly Right of Way line of Windward Parkway North 72 Degrees 25 Minutes 16 Seconds East, 37.05 feet to a concrete Right of Way monument; thence continuing along the northerly Right of Way line of Windward Parkway South 58 Degrees 18 Minutes 52 Seconds East, 46.28 feet to a point; thence continuing along the northerly Right of Way line of Windward Parkway North 81 Degrees 50 Minutes 56 Seconds East, 20.85 feet to a concrete Right of Way monument and The Point of Beginning; thence leaving the northerly Right of Way line of Windward Parkway North 13 Degrees 55 Minutes 58 Seconds West, 5.00 feet to a point; thence North 76 Degrees 04 Minutes 02 Seconds East, 5.00' to a point; thence South 13 Degrees 55 Minutes 58 Seconds East, 5.00 feet to a point on the northerly Right of Way line of Windward Parkway; thence along the northerly Right of Way of Windward Parkway South 76 Degrees 04 Minutes 02 Seconds West, 5.00 feet and the Point of Beginning, containing 0.001 acres.