

 <p><b>Fulton County Board of Commissioners</b>  <b>Agenda Item Summary</b></p>	<p><b>BOC Meeting Date</b>  <b>3/18/2020</b></p>
<p><b>Requesting Agency</b>  Real Estate and Asset Management</p>	<p><b>Commission Districts Affected</b>  2</p>
<p><b>Requested Action</b> <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i>  Request approval of a Water Vault Easement Dedication of 369 square feet to Fulton County, a political subdivision of the State of Georgia from Park Plaza Partners, LLC, for the purpose of constructing a mixed-use development known as the Alpharetta Provisions Project at 55 Roswell Street, Alpharetta, Georgia 30009.</p>	
<p><b>Requirement for Board Action</b> <i>(Cite specific Board policy, statute or code requirement)</i>  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.</p>	
<p><b>Is this Item related to a Strategic Priority Area?</b> <i>(If yes, note strategic priority area below)</i></p> <p>Yes                      All People Trust Government is Effective, Efficient and Fiscally Sound Open and Responsible Government</p>	
<p><b>Is this a purchasing item?</b>  No</p>	
<p><b>Summary &amp; Background</b></p>	<p><i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i></p>
<p><b>Scope of Work:</b> The proposed Alpharetta Provisions Project, a mixed-use development, requires the construction of a water vault. Fulton County development regulations require that all new water 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 369 square feet and is located in Land Lot 1269 of the 2nd District, 2nd Section of Fulton County, Georgia.</p> <p><b>Community Impact:</b> The community will benefit from the extension of the County's water system and the addition of a new mixed-use development.</p> <p><b>Department Recommendation:</b> The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.</p> <p><b>Project Implications:</b> Easement dedications by the owner of record to Fulton County are made a</p>	

<p align="center"><b>Agency Director Approval</b></p>		<p align="center"><b>County Manager's Approval</b></p>
<p><b>Typed Name and Title</b>  Joseph N. Davis, Director, Department of Real Estate and Asset Management</p>	<p><b>Phone</b>  404-612-3772</p>	
<p><b>Signature</b></p>	<p><b>Date</b></p>	

<p>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.</p> <p>Community Issues/Concerns: None.</p> <p>Department Issues/Concerns: None.</p> <p>History of BOC Agenda Item: None.</p>	
<b>Contract &amp; Compliance Information</b>	<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)

<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 water vault easement dedication, the County saves land acquisition costs of approximately \$2,158.00.				
<b>Exhibits Attached</b> <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Water Vault Easement Agreement				
<b>Source of Additional Information</b> <i>(Type Name, Title, Agency and Phone)</i> Linda DuBose 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>	

Continued

**Procurement****Contract Attached:**

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**Previous Contracts:**

.

**Solicitation Number:**

.

**Submitting Agency:**

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**Staff Contact:**

.

**Contact Phone:**

.

**Description:.****FINANCIAL SUMMARY****Total Contract Value:**

Original Approved Amount: .

Previous Adjustments: .

This Request: .

TOTAL: .

**MBE/FBE Participation:**

Amount: . %: .

Amount: . %: .

Amount: . %: .

Amount: . %: .

**Grant Information Summary:**

Amount Requested: .

Match Required: .

Start Date: .

End Date: .

Match Account \$: .

☐

Cash

☐

In-Kind

☐

Approval to Award

☐

Apply &amp; Accept

**Funding Line 1:**

.

**Funding Line 2:**

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**Funding Line 3:**

.

**Funding Line 4:**

.

**KEY CONTRACT TERMS****Start Date:**

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**End Date:**

.

**Cost Adjustment:**

.

**Renewal/Extension Terms:**

.

**ROUTING & APPROVALS**

(Do not edit below this line)

X	Originating Department:	Davis, Joseph	Date: 3/6/2020
X	County Attorney:	Stewart, Denva	Date: 3/6/2020
.	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 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: Alpharetta Provisions  
 Tax Parcel Identification No.: 12 482 312 260 302  
 Land Disturbance Permit No.: 18-085WR  
 Zoning/Special Use Permit No.: \_\_\_\_\_  
 (if applicable)

*For Fulton County Use Only*

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

### WATER VAULT EASEMENT (Corporate Form)

STATE OF GEORGIA,  
 COUNTY OF FULTON

This indenture entered into this 6 day of May, 2019, between Park Plaza Partners, LLC, 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.

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 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) 1269 of the 2 District, 2 Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Alpharetta Provisions

*Project Name*

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

Water Vault Easement – Corporation  
 Revised 08/20/2007

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 above-described 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 24<sup>th</sup>  
day of January, 20 20  
in the presence of:

[Signature]  
Witness

[Signature]  
Notary Public

[NOTARIAL SEAL]



GRANTOR: Park Plaza Partners LLC  
CORPORATE NAME

By: [Signature]  
Print Name: Robert Brannon  
Title: Owner

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[CORPORATE SEAL]

Exhibit A

Water Vault Easement - Legal Description

Alpharetta Provisions

ALL THAT TRACT OR PARCEL of land being in Land Lots 1269 of the 2nd District, 2nd Section of Fulton County, Georgia, and being shown as containing on surveys prepared for Robbie Brannon by Garmon Land Surveying, by Anthony P. Garmon, Georgia Registered Land Surveyor No. 3230 dated April 11, 2018, being more particularly described as follows:

THE POINT OF COMMENCEMENT begins at a 1/2" rebar found along the northwest side of Roswell Street ROW in land lot 1269 of the 1st district 2nd section of Fulton County, Georgia,

running thence continuing along said right of way along the arc of a curve to the right having a radius of 633.00 feet a distance of 16.74 feet being subtended by a chord bearing of south 24 degrees 32 minutes 35.87 seconds west and a chord distance of 16.73 feet to a THE POINT OF BEGINNING;

from said POINT OF BEGINNING;

running thence continuing along said right of way along the arc of a curve to the right having a radius of 633.00 feet a distance of 21.23 feet being subtended by a chord bearing of south 26 degrees 17 minutes 43.16 seconds west and a chord distance of 21.23 feet to a point;

running thence north 45 degrees 04 minutes 25 seconds west for 21.73 feet to a point;

running thence north 44 degrees 55 minutes 35 seconds east for 20.00. feet to a point;

running thence south 45 degrees 31 minutes 41 seconds east for 14.94 feet to

the POINT OF BEGINNING.

Said tract of land contains 0.008 acres or 369 square feet.





NORTH



PROJECT NO: 18-4178  
DRAWN BY: JLM  
DATE: 04-26-19  
REVISED:

WATER VAULT  
EASEMENT EXHIBIT

ALPHARETTA  
PROVISIONS  
ALPHARETTA, GA

PROJECT: ALPHARETTA PROVISIONS  
OWNER: PARK PLAZA PARTNERS, LLC  
GRANTOR: PARK PLAZA PARTNERS, LLC  
PID: 12 482 312 260 302  
LAND LOT: 1269  
2ND DISTRICT, 2ND SECTION  
EASEMENT AREA: 369 SF  
WATER VAULT EASEMENT

PRIVATE STREET

N/F  
JWJ REAL ESTATE LLC  
DB 53292 PG 286  
(ZONED: C-2)



POINT OF COMMENCEMENT

L.L.  
1269

ROSWELL STREET  
R/W VARIES B.C. VARIES  
(D.O.T. PROJECT NO. PR 8532-13(121))



POINT OF BEGINNING

TOP: 1151.98  
IN: 1144.18  
IN: 1144.58  
OUT: 1144.13



EX. PAVED ASPHALT

P/T

PROP WATER  
METER EASEMENT

L/S

S/W

S/W

S/W

S/W

S/W

S/W

S/W

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S/W

S/W

S/W

N44° 55' 35"E

20.00

N45° 04' 25"W

21.73

14.94

S45° 31' 41"E

14.94

L=16.735

R=633.000

CH = 16.73

S24° 32' 35.87"W

L=21.232

R=633.000

CH = 21.23

S26° 17' 43.16"W

2 AK