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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 : Ashbury Phase 2
Tax Parcel Identification No.: 12-218105230323
Land Disturbance Permit No.: FC #18-082WR / LDP #D180042
Zoning/Special Use Permit No.: R-10M
(if applicable)

For Fulton County Use Only

Approval Date: _____
Initials: _____

**WATER LINE EASEMENT
(Corporate Form)**

STATE OF GEORGIA,
COUNTY OF FULTON

This indenture entered into this 10th day of December, 2020, between CND-Lowe, 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 and 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 has 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) 522 & 523, n/a Section (if applicable) of District 1st, Fulton County, Georgia, and more particularly described as follows:
To wit:

Ashbury Phase 2

[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 hereby conveys and relinquishes to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said water line on both a routine and emergency basis.

Said Grantor hereby warrants that it has the right to sell and convey said water line 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 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 hereby waives for itself, its successors 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 hand and seal on the day and year first above written.

Signed, sealed and delivered this 11TH
day of DECEMBER, 20 20
in the presence of:

Chris Mes
Witness

Childs Beam
Notary Public

[NOTARIAL SEAL]



GRANTOR: CND Lowe, LLC
CORPORATE NAME

By: Jeff Barrett

Print Name: Jeff Barrett

Title: Corporate Director of Land Developm
Operations

By: _____

Print Name: _____

Title: _____

[CORPORATE SEAL]

Exhibit "A"

Property Description for Water Easement ~ 2.13 Acres
Ashbury Townhomes F.K.A. Old Roswell Road Townhomes
Water Easement Area is Tract 1, less and except Tracts 2, 3 and 4.

Tract 1 = 5.22 Acres

Tract 2 = 0.77 Acres

Tract 3 = 1.54 Acres

Tract 4 = 0.78 Acres

Property Description for Water Easement ~ Tract 1 at
Ashbury Townhomes F.K.A. Old Roswell Road Townhomes

ALL that tract or parcel of land lying and being in Land Lots 522 and 523 of the 1st District, 2nd section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at an iron pin set at the State Plane Coordinate of North: 1469093.28, East: 2246322.89, on the northwesterly right of way of Old Roswell Road (65' R/W);

THENCE follow along the northwesterly right of way of Old Roswell Road (65' R/W), North 01 degrees 06 minutes 55 seconds East 20.89 feet to a point; THENCE South 74 degrees 18 minutes 30 seconds West, 178.25 feet to a point on the northwesterly right of way of Old Roswell Road (65' R/W); Said being the POINT OF BEGINNING;

THENCE South 74 degrees 18 minutes 30 seconds West 6.08 feet to a point;

THENCE South 15 degrees 59 minutes 09 seconds East 7.42 feet to a point;

THENCE South 74 degrees 05 minutes 10 seconds West 3.91 feet to a point;

THENCE North 16 degrees 05 minutes 27 seconds West 141.63 feet to a point;

THENCE South 73 degrees 54 minutes 33 seconds West 21.67 feet to a point;

THENCE South 12 degrees 46 minutes 05 seconds East 141.78 feet to a point;

THENCE South 74 degrees 05 minutes 10 seconds West 20.03 feet to a point;

THENCE North 12 degrees 46 minutes 05 seconds West 138.95 feet to a point;

THENCE South 76 degrees 38 minutes 21 seconds West 65.11 feet to a point;

THENCE South 83 degrees 20 minutes 54 seconds West 57.75 feet to a point;

THENCE North 88 degrees 18 minutes 04 seconds West 83.06 feet to a point;

THENCE North 88 degrees 59 minutes 46 seconds West 159.64 feet to a point;

THENCE South 88 degrees 19 minutes 59 seconds West 24.45 feet to a point;

THENCE North 83 degrees 35 minutes 04 seconds West 28.35 feet to a point;

THENCE North 00 degrees 52 minutes 53 seconds East 14.28 feet to a point;

THENCE South 88 degrees 52 minutes 24 seconds East 52.51 feet to a point;

THENCE North 00 degrees 24 minutes 12 seconds East 14.30 feet to a point;

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THENCE South 89 degrees 35 minutes 48 seconds East 41.36 feet to a point;
THENCE North 01 degrees 06 minutes 48 seconds East 432.98 feet to a point;
THENCE North 90 degrees 00 minutes 00 seconds East 5.19 feet to a point;
THENCE North 01 degrees 03 minutes 05 seconds East 21.83 feet to a point;
THENCE North 89 degrees 31 minutes 05 seconds West 44.84 feet to a point;
THENCE North 00 degrees 28 minutes 55 seconds East 15.13 feet to a point;
THENCE North 88 degrees 57 minutes 48 seconds West 53.02 feet to a point;
THENCE North 01 degrees 02 minutes 12 seconds East 15.69 feet to a point;
THENCE South 89 degrees 14 minutes 17 seconds East 405.41 feet to a point;
THENCE South 87 degrees 39 minutes 26 seconds East 96.45 feet to a point;
THENCE South 89 degrees 04 minutes 00 seconds East 134.95 feet to a point;
THENCE South 01 degrees 02 minutes 09 seconds West 15.68 feet to a point;
THENCE North 88 degrees 57 minutes 48 seconds West 54.02 feet to a point;
THENCE South 01 degrees 26 minutes 27 seconds West 15.14 feet to a point;
THENCE North 88 degrees 33 minutes 33 seconds West 60.73 feet to a point;
THENCE South 00 degrees 40 minutes 19 seconds West 17.30 feet to a point;
THENCE North 90 degrees 00 minutes 00 seconds East 6.97 feet to a point;
THENCE South 01 degrees 30 minutes 46 seconds West 174.81 feet to a point;
THENCE North 90 degrees 00 minutes 00 seconds West 5.88 feet to a point;
THENCE South 00 degrees 44 minutes 02 seconds West 173.19 feet to a point;
THENCE South 14 degrees 45 minutes 25 seconds West 32.78 feet to a point;
THENCE South 33 degrees 56 minutes 28 seconds West 32.27 feet to a point;
THENCE South 58 degrees 00 minutes 07 seconds West 27.23 feet to a point;
THENCE South 36 degrees 33 minutes 06 seconds East 19.32 feet to a point;
THENCE South 53 degrees 26 minutes 54 seconds West 5.00 feet to a point;
THENCE North 36 degrees 33 minutes 06 seconds West 20.27 feet to a point;
THENCE South 68 degrees 14 minutes 03 seconds West 7.50 feet to a point;
THENCE South 16 degrees 05 minutes 27 seconds East 134.41 feet to a point, said point being the
POINT OF BEGINNING;
Said tract or parcel contains 5.22 Acres (227563 Square Feet) more or less.

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12/18/2020

Exhibit "A"

Property Description for Water Easement ~ Tract 2 at
Ashbury Townhomes F.K.A. Old Roswell Road Townhomes

LESS AND EXCEPT:

ALL that tract or parcel of land lying and being in Land Lots 522 and 523 of the 1st District, 2nd section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at an iron pin set at the State Plane Coordinate of North: 1469093.28, East: 2246322.89, on the northwesterly right of way of Old Roswell Road (65' R/W);

THENCE follow along the northwesterly right of way of Old Roswell Road (65' R/W), North 01 degrees 06 minutes 55 seconds East 20.89 feet to a point; THENCE following along a tie line North 80 degrees 48 minutes 41 seconds West, 478.00 feet to a point; Said being the POINT OF BEGINNING;

THENCE North 89 degrees 39 minutes 30 seconds West 71.43 feet to a point;

THENCE North 00 degrees 44 minutes 20 seconds East 238.62 feet to a point;

THENCE North 89 degrees 15 minutes 40 seconds West 14.04 feet to a point;

THENCE North 01 degrees 03 minutes 38 seconds East 83.46 feet to a point;

THENCE South 88 degrees 56 minutes 55 seconds East 14.61 feet to a point;

THENCE North 01 degrees 03 minutes 05 seconds East 132.43 feet to a point;

THENCE South 87 degrees 30 minutes 06 seconds East 70.61 feet to a point;

THENCE South 00 degrees 51 minutes 17 seconds West 451.76 feet to a point, said point being the POINT OF BEGINNING;

Said tract or parcel contains 0.77 Acres (33538 Square Feet) more or less.

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Exhibit "A"

Property Description for Water Easement ~ Tract 3 at
Ashbury Townhomes F.K.A. Old Roswell Road Townhomes

LESS AND EXCEPT:

ALL that tract or parcel of land lying and being in Land Lots 522 and 523 of the 1st District, 2nd section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at an iron pin set at the State Plane Coordinate of North: 1469093.28, East: 2246322.89, on the northwesterly right of way of Old Roswell Road (65' R/W);

THENCE follow along the northwesterly right of way of Old Roswell Road (65' R/W), North 01 degrees 06 minutes 11 seconds West 20.89 feet to a point; THENCE following along a tie line North 71 degrees 31 minutes 11 seconds West, 288.16 feet to a point; Said being the POINT OF BEGINNING;

THENCE South 79 degrees 02 minutes 25 seconds West 93.92 feet to a point;

THENCE North 88 degrees 10 minutes 02 seconds West 71.47 feet to a point;

THENCE North 01 degrees 19 minutes 08 seconds East 451.30 feet to a point;

THENCE South 89 degrees 42 minutes 38 seconds East 146.87 feet to a point;

THENCE South 00 degrees 49 minutes 13 seconds West 367.24 feet to a point;

THENCE South 06 degrees 17 minutes 12 seconds East 30.81 feet to a point;

THENCE South 12 degrees 34 minutes 49 seconds East 37.95 feet to a point, said point being the POINT OF BEGINNING;

Said tract or parcel contains 1.54 Acres (67132 Square Feet) more or less.

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Exhibit "A"

Property Description for Water Easement ~ Tract 4 at
Ashbury Townhomes F.K.A. Old Roswell Road Townhomes

LESS AND EXCEPT:

ALL that tract or parcel of land lying and being in Land Lots 522 and 523 of the 1st District, 2nd section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at an iron pin set at the State Plane Coordinate of North: 1469093.28, East: 2246322.89, on the northwesterly right of way of Old Roswell Road (65' R/W);

THENCE follow along the northwesterly right of way of Old Roswell Road (65' R/W), North 01 degrees 06 minutes 11 seconds West 20.89 feet to a point; THENCE following along a tie line North 71 degrees 17 minutes 21 seconds West, 254.94 feet to a point; Said being the POINT OF BEGINNING;

THENCE North 06 degrees 50 minutes 16 seconds West 68.95 feet to a point;

THENCE North 90 degrees 00 minutes 00 seconds East 5.28 feet to a point;

THENCE North 01 degrees 13 minutes 09 seconds West 71.17 feet to a point;

THENCE North 00 degrees 45 minutes 38 seconds East 304.50 feet to a point;

THENCE South 89 degrees 03 minutes 52 seconds East 69.98 feet to a point;

THENCE South 00 degrees 40 minutes 19 seconds West 169.00 feet to a point;

THENCE South 89 degrees 19 minutes 41 seconds East 18.68 feet to a point;

THENCE South 01 degrees 03 minutes 38 seconds West 191.19 feet to a point;

THENCE South 16 degrees 53 minutes 16 seconds West 42.94 feet to a point;

THENCE South 47 degrees 45 minutes 10 seconds West 42.29 feet to a point;

THENCE South 71 degrees 28 minutes 37 seconds West 41.07 feet to a point, said point being the POINT OF BEGINNING;

Said tract or parcel contains 0.78 Acres (34029 Square Feet) more or less.

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