

**Agenda Item Summary**BOC Meeting Date
3/18/2020**Requesting Agency**

Real Estate and Asset Management

Commission Districts Affected

1

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

Request approval of a Water Vault Easement Dedication for two water vaults totalling 800.0 square feet to Fulton County, a political subdivision of the State of Georgia from Old Ellis Self Storage, LLC & The Lawand, Inc., for the purpose of constructing the Old Ellis Storage Project at 1205 Old Ellis Road, Roswell, Georgia 30076.

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 summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The proposed Old Ellis Storage Project, a commercial building development, requires the installation of a water vault. Fulton County development regulations require that all new water service 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 800.00 square feet and is located in Land Lot 558 of the 1st 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 building development.

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

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.

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**

Community Issues/Concerns: None.

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)

20-0192

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 vault easement dedication, the County saves land acquisition costs of approximately \$3,710.00.				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Water Vault Easement Agreement				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Linda 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: 3/9/2020
X	County Attorney:	Stewart, Derval	Date: 3/8/2020
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 3/9/2020

**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: Old Ellis Road Storage LDP Number: 19-036WR
 Development Type: Commercial 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: MTC- Corporation - Mitchell Cooke
 Name of Entity or Person Dedicating Property:
 (if different than above) Old Ellis Self Storage, LLC & The Lawand Inc.
 Contact Person: Mitchell Cooke
 Contact Company (if different than above): MTC - Corporation
 Contact Phone Number: 678-713-1257
 Contact E-mail Address: mcooke@mtc-corp.net

SITE INFORMATION (TO BE COMPLETED BY PETITIONER)

District Number: 1 Section Number*: 2 Land Lot(s): 545 & 546
 *(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): 12 226005580804

If the property to be developed was purchased within past
 three years, please provide the following information:

Sales price: \$2,000,000.00
 Sales date: April 18, 2019
 Total acreage 4.95 Acres

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.***

[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 : Old Ellis Road Self Storage
Tax Parcel Identification No.: 12 226005580804
Land Disturbance Permit No.: 19-036WR
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 25th day of June, 20 19, between
OLD ELLIS SELF STORAGE, LLC & THE LAWAND INC., 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) 545 & 546 of the 1st District, 2nd Section (*if applicable*) of Fulton County,
Georgia, and more particularly described as follows: To wit:

OLD ELLIS ROAD SELF STORAGE

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 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 15th
day of July, 20 17
in the presence of:

Witness

Notary Public

GRANTOR: Old Ellis Self Storage, LLC & The Lawand Inc.
CORPORATE NAME

By:

Print Name:

Title:

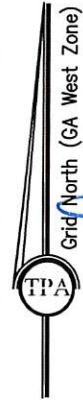
By:

Print Name:

Title:

[NOTARIAL SEAL]

[CORPORATE SEAL]



P.O.B. :

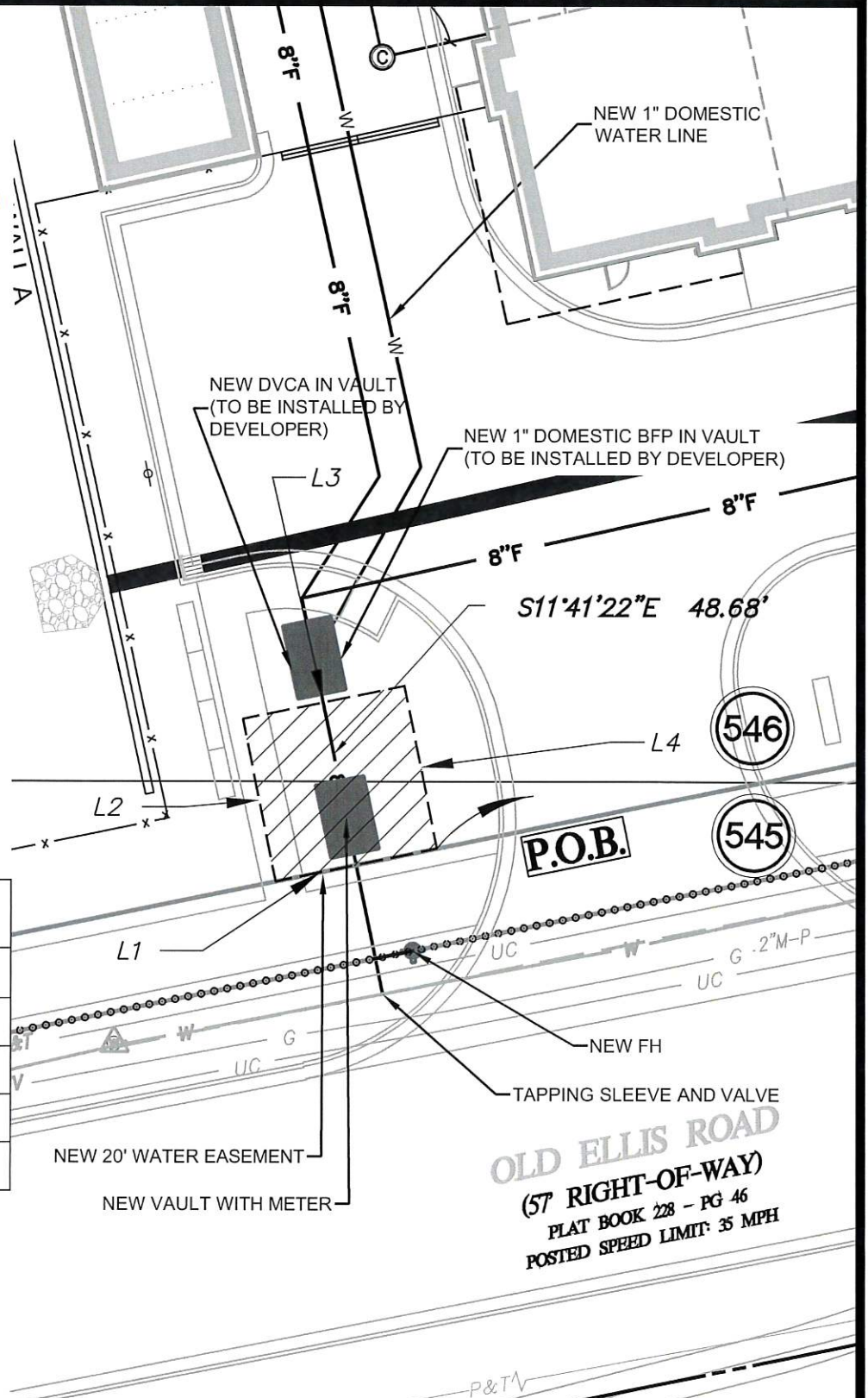
ALONG THE NORTHERN FUTURE 80' RIGHT OF WAY OF OLD ELLIS ROAD THE FOLLOWING COURSES AND DISTANCES NORTH 78 DEGREES 29 MINUTES 55 SECONDS EAST A DISTANCE OF 96.67' TO A POINT THENCE NORTH 77 DEGREES 34 MINUTES 03 SECONDS 125.85' TO A POINT, THENCE SOUTH 04 DEGREES 21 MINUTES 36 SECONDS EAST 11.5' FEET TO A 1/2" REBAR FOUND ON THE CURRENT 57' NORTHERN RIGHT OF WAY OF OLD ELLIS ROAD. THENCE 359.59' ALONG THE RIGHT OF WAY OF OLD ELLIS ROAD TO SW 50' R/W OF OLD ELLIS POINTE.

Line Table

Line #	Direction	Length
L1	S78°29'55"W	20.00'
L2	N11°30'05"W	20.00'
L3	N78°29'55"E	20.00'
L4	S11°30'05"E	20.00'

WATER VAULT
EASEMENT AREA
400 SQUARE FEET

GRANTOR: OLD ELLIS SELF STORAGE, LLC
& THE LAWAND, INC.
PARCEL ID: 12 226005580804



4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com

WATER EASEMENT - EXHIBIT A-1

OLD ELLIS ROAD SELF STORAGE

LAND LOT 545 & 546 ~ 1ST DISTRICT ~ 2ND SECTION
FULTON COUNTY, GEORGIA

DATE JUNE 25, 2019

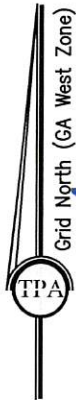
SCALE 1" = 20'

JN 1-19-0039

FN 101-A-2132

DB ARD

PAGES 1 of 1



P.O.B. :

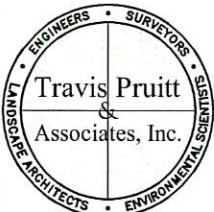
ALONG THE NORTHERN 57' RIGHT OF WAY OF OLD ELLIS ROAD THE FOLLOWING COURSES AND DISTANCES NORTH 78 DEGREES 29 MINUTES 55 SECONDS EAST A DISTANCE OF 163.68' TO A POINT THENCE NORTH 77 DEGREES 34 MINUTES 03 SECONDS 124.31' TO A 1/2" REBAR FOUND ON THE CURRENT NORTHERN RIGHT OF WAY OF OLD ELLIS ROAD. THENCE 359.59' ALONG THE RIGHT OF WAY OF OLD ELLIS ROAD TO SW 50' RW OF OLD ELLIS POINTE.

Line Table

Line #	Direction	Length
L1	S78°29'55"W	20.00'
L2	N11°30'05"W	20.00'
L3	N78°29'55"E	20.00'
L4	S11°30'05"E	20.00'

WATER VAULT
EASEMENT AREA
400 SQUARE FEET

GRANTOR: OLD ELLIS SELF STORAGE, LLC
& THE LAWAND, INC.
PARCEL ID: 12 226005580804



4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com

WATER EASEMENT - EXHIBIT A-2

OLD ELLIS ROAD SELF STORAGE

LAND LOT 545 ~ 1ST DISTRICT ~ 2ND SECTION
FULTON COUNTY, GEORGIA

Packet Page -275-

DATE JUNE 25, 2019

SCALE 1" = 20'

JN 1-19-0039

FN 101-A-2132

DB ARD

PAGES 1 of 1

