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Fulton County Land Division
141 Pryor Street, S.W. – Suite 8021
Atlanta, Georgia 30303

Project Name : CRABAPPLE MARKET RESIDENTIAL
Tax Parcel Identification No.: 22-400011362676
Land Disturbance Permit No.: WRN 23-042
Zoning/Special Use Permit No.: N/A
(if applicable)

<p><i>For Fulton County Use Only</i></p> <p>Approval Date: _____ Initials: _____</p>
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**WATER LINE EASEMENT
(Corporate Form)**

STATE OF GEORGIA,

COUNTY OF FULTON

This indenture entered into this 26 day of JULY, 2023, between Branyan Trail, LLC, a limited liability company 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) 1136, 2nd Section (if applicable) of 2nd District Fulton County, Georgia, and more particularly described as follows: To wit:

Crabapple Market:

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 an existing eight(8) inch ductile iron water line through my property shown as a twenty foot (20") water easement on the map attached to this Water Line Easement as **Exhibit "A" (attached hereto and made a part hereof)**, 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. Contemporaneous with the execution and delivery of this water line easement, Grantor and Fulton County are entering into a Water System Ownership, Operation, Maintenance, and Repair Agreement (the "WaterSystem Agreement") that will be recorded in the real estate records of Fulton County, Georgia.

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.

Except as provided for otherwise in the Agreement, 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 or the use of the property as herein agreed.

[signature on following page]

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

day of

July

25th
20 23

in the presence of:

GRANTOR: BRANYAN TRAIL, LLC

By:

Adam D. Orkin

Adam D. Orkin, Manager

[Signature]
Witness

Robt Thigpen Slater
Notary Public

[NOTARIAL SEAL]



EXHIBIT "A"

Location of water line and water line easement area

Water Line Easement - Legal Description -- Crabapple Market - Residential

ALL THAT TRACT OR PARCEL of land being in Land Lots 1136 of the 2nd District, 2nd Section of Fulton County, Georgia; this description is based on information taken from a survey by Watts & Browning Engineers, Inc. dated October 2, 2018 and shown on a Utility Site Plan by AEC, Inc. last revised April 28, 2023, being more particularly described as follows:

THE POINT OF COMMENCEMENT begins at a ½ inch rebar with cap iron pin found at the northwest corner of the intersection Crabapple Road and Heritage Walk in land lot 1136 of the 2nd district 2nd section of Fulton County, Georgia, running thence north 00 degrees 56 minutes 19 seconds east for 339.93 feet to THE POINT OF BEGINNING;

from said POINT OF BEGINNING;

running thence north 00 degrees 56 minutes 19 seconds east for 78.79 feet to a point;

running thence north 02 degrees 03 minutes 08 seconds east for 185.13 feet to a point;

running thence north 52 degrees 36 minutes 06 seconds east for 94.04 feet to a point;

running thence south 88 degrees 36 minutes 23 seconds east for 132.43 feet to a point;

running thence south 39 degrees 30 minutes 33 seconds east for 50.55 feet to a point;

running thence south 50 degrees 29 minutes 27 seconds west for 20.00 feet to a point;

running thence north 39 degrees 30 minutes 33 seconds west for 41.42 feet to a point;

running thence north 88 degrees 36 minutes 23 seconds west for 116.25 feet to a point;

running thence south 52 degrees 36 minutes 06 seconds west for 77.55 feet to a point;

running thence south 02 degrees 03 minutes 08 seconds west for 209.66 feet to a point;

running thence south 02 degrees 00 minutes 17 seconds west for 15.00 feet to a point;

running thence south 01 degrees 48 minutes 51 seconds west for 22.84 feet to a point;

running thence south 49 degrees 54 minutes 14 seconds west for 10.61 feet to a point;

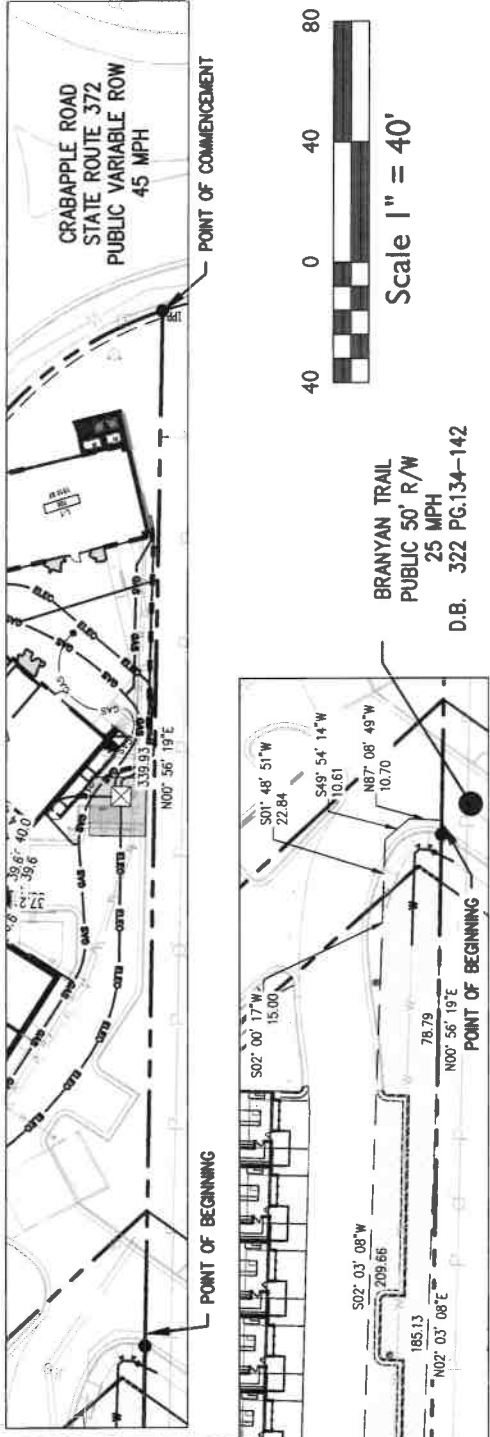
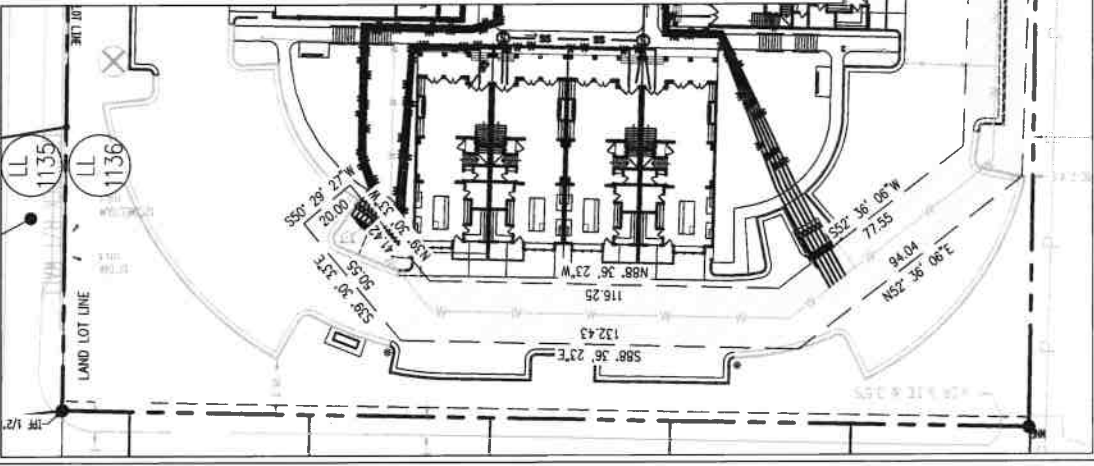
running thence north 87 degrees 08 minutes 49 seconds west for 10.70 feet to the POINT OF BEGINNING.

Said tract of land contains 0.234 acres or 10,221 square feet.

PROJECT: CRABAPPLE MARKET - RES
 ADDRESS: 12608 CRABAPPLE ROAD
 MILTON, GA 30004
 LAND LOT: 1136
 DISTRICT: 2ND
 SECTION: 2ND
 EASEMENT AREA: 10,001 SF
 GRANITOR: BRANYAN TRAIL, LLC
 GRANITEE: FULTON COUNTY



A.B
 07/28/23



A/E/C

PROJECT NO. 18-433
 DRAWN BY: JPH
 CHECKED BY: JPH
 DATE: 07/28/23

WATER LINE EASEMENT -
 EXHIBIT A

CRABAPPLE MARKET -
 RESIDENTIAL
 MILTON, GA