

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

Real Estate and Asset Management

Commission Districts Affected

2

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

Request approval of a Sewer Easement Dedication of 1,260 square feet to Fulton County, a political subdivision of the State of Georgia, from John Gilmore, an individual, for the purpose of constructing the Regents Court (f/k/a Magnolia Estates) Project at 9755 Hightower Road, Roswell, Georgia 30075.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

This Agenda Item is presented to the BOC pursuant to Fulton County Code of Ordinances, 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 Regents Court (f/k/a Magnolia Estates) Project, a single-family residential subdivision development, requires a connection to the County's sewer system. Fulton County development regulations require that all new sewer line connections acknowledge Fulton County's ownership interests in the area(s) in which a connection is being made to the County's sewer system prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed consists of 1,260 square feet and is located in Land Lot 300 of the 1st District, 2nd Section of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's sewer system and the addition of a new single-family residential 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)

20-0191

| | | | | |
|---|-----------------|------------|------------|--------------|
| 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 sewer easement dedication, the County saves land acquisition costs of approximately \$1,677.00 | | | | |
| Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1 – Sewer 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: 3/6/2020 |
| 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 : REGENTS COURT F/K/A MAGNOLIA ESTATES
 Tax Parcel Identification No.: 12-1710-0300-0589
 Land Disturbance Permit No.: 17-112 WR
 Zoning/Special Use Permit No.: _____
 (if applicable)

For Fulton County Use Only

Approval Date: _____
 Initials: _____

SEWER EASEMENT

STATE OF GEORGIA,
 COUNTY OF FULTON

This indenture entered into this 26th day of JUNE, 2019, between **JOHN GILMORE**, a resident 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 sewer line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a sewer 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) 300 and 329 of the 1st Land District, 2nd Section, Fulton County, Georgia, and more particularly described as follows: To wit:

REGENTS COURT, F.K.A MAGNOLIA ESTATES*Project Name***[See Exhibit "A" attached hereto and made a part hereof]**

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 26th
day of June, 20 19
In the presence of:

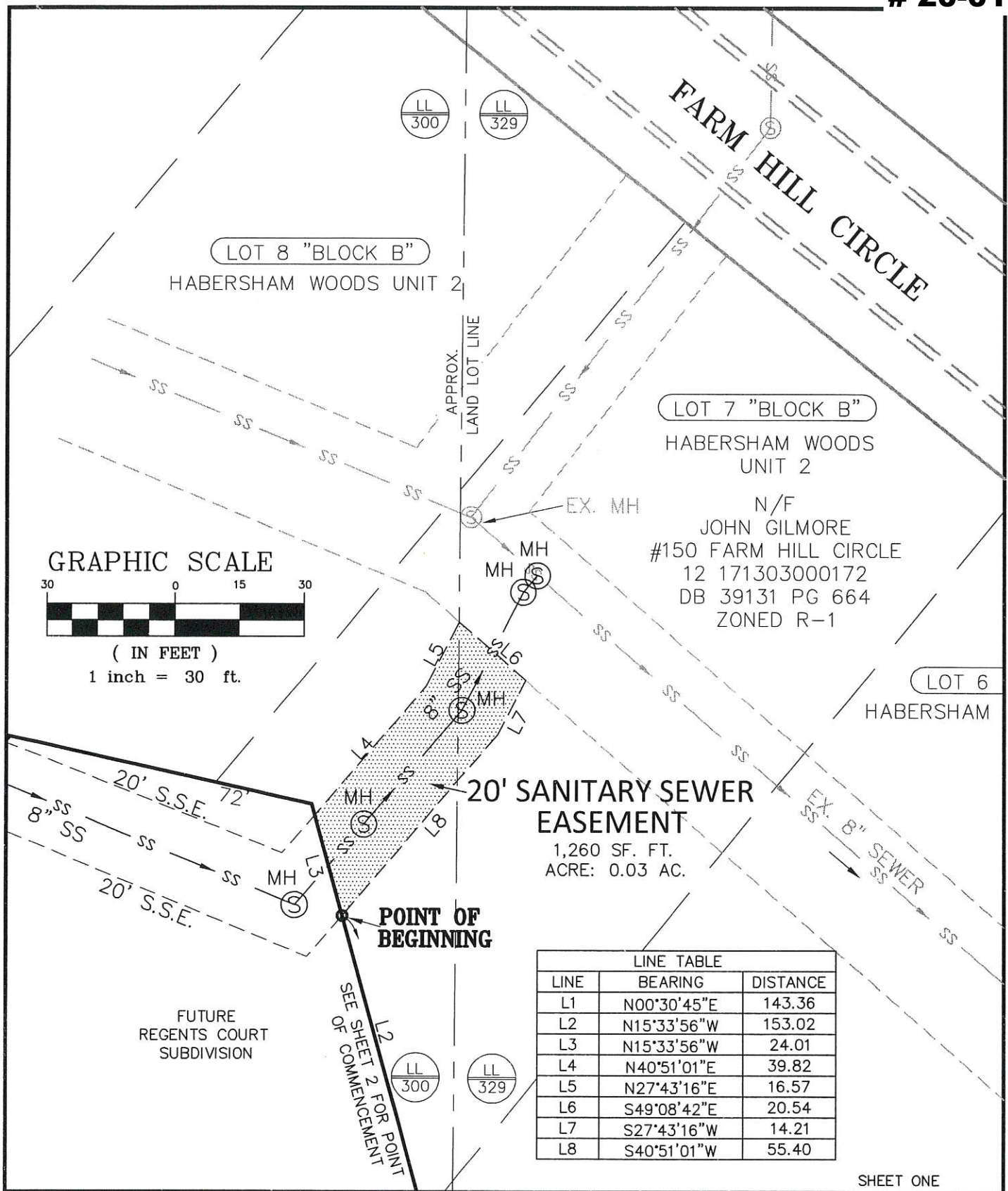
GRANTOR: John E. Gilmore

[Signature]
Witness

[Signature]
JOHN E. GILMORE (SEAL)

Notary Public [Signature]
Soudabeh Pak Sadri
NOTARY PUBLIC
FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES 02/18/23

[NOTARIAL SEAL]



| NO. | Revision/Issue | By |
|-----|----------------|----|
| A | MAY 7, 2019 | TH |
| | | |
| | | |
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| | | |

SANITARY SEWER EASEMENT

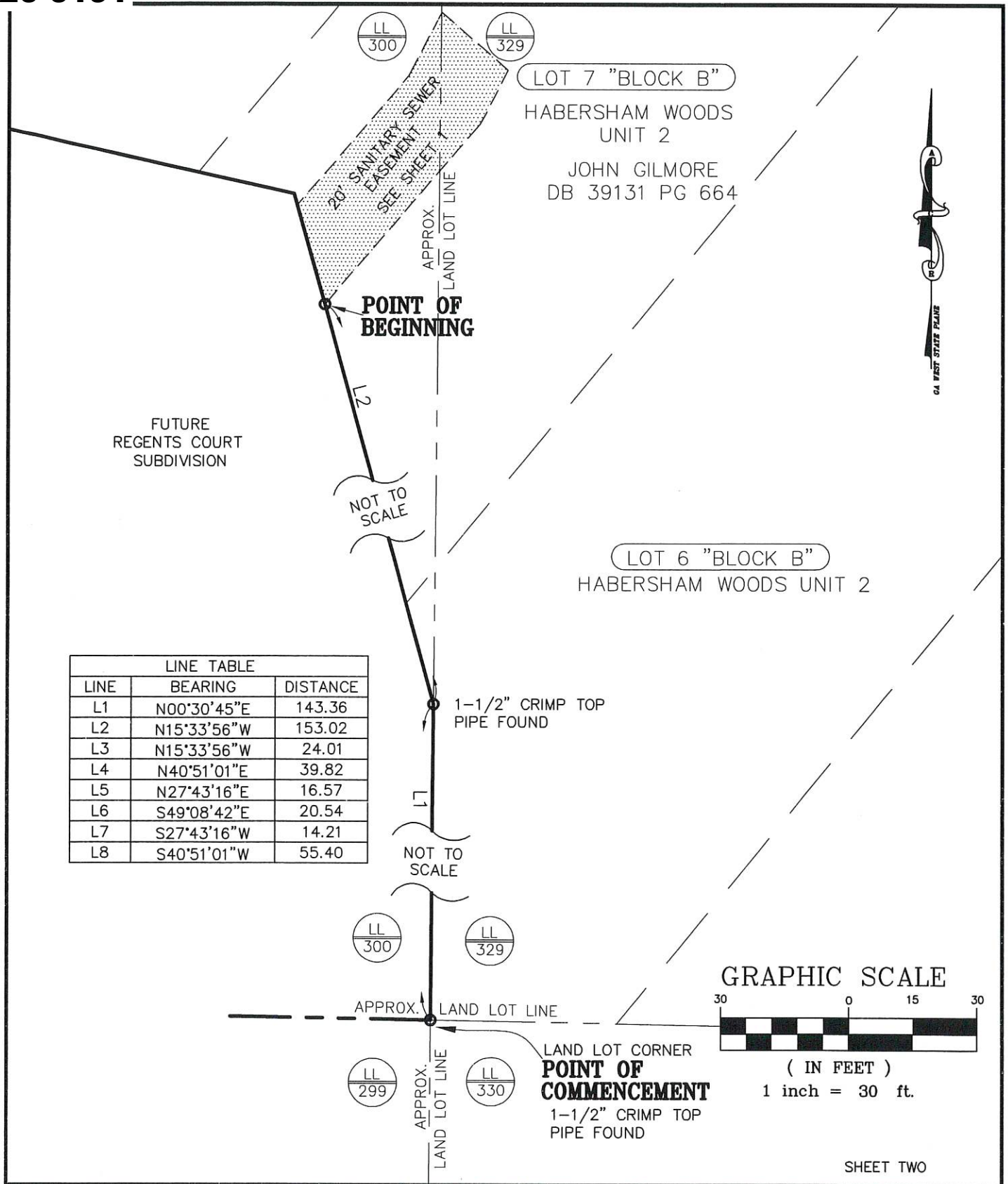
FROM: **JOHN GILMORE**
TO: **HPS PROPERTIES, LLC**

L.L. 300 OF THE 1ST DIST., 2ND SECT.
FULTON COUNTY, GEORGIA



Engineering, inc.
ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING

600 PINNACLE COURT
SUITE 685
NORCROSS, GA 30071
TEL: (678) 291-0000
FAX: (678) 291-6887
ACR NO. 16026



| NO. | Revision/Issue | By |
|-----|----------------|----|
| A | MAY 7, 2019 | TH |
| | | |
| | | |
| | | |
| | | |

SANITARY SEWER EASEMENT

FROM: **JOHN GILMORE**
 TO: **HPS PROPERTIES, LLC**

L.L. 300 OF THE 1ST DIST., 2ND SECT.
 FULTON COUNTY, GEORGIA



Engineering, inc.
 ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING

600 PINNACLE COURT
 SUITE 685
 NORCROSS, GA 30071
 TEL: (678) 291-0000
 FAX: (678) 291-6887
 ACR NO. 16026

20' SANITARY SEWER EASEMENT
FROM: JOHN GILMORE
TO: HPS PROPERTIES, LLC

TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 300 AND 329 OF THE 1ST LAND DISTRICT, 2ND SECTION, FULTON COUNTY, CITY OF ROSWELL, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM AN IRON PIN FOUND (ONE AND ONE HALF INCH CRIMP TOP PIPE) AT THE LAND LOT CORNER COMMON TO LAND LOTS 299, 300, 329 AND 330 AND THENCE ALONG THE LAND LOT LINE COMMON TO LAND LOTS 299 AND 300 NORTH 00 DEGREES 30 MINUTES 45 SECONDS EAST A DISTANCE OF 143.36 FEET TO AN IRON PIN FOUND (ONE AND ONE HALF INCH CRIMP TOP PIPE); THENCE DEPARTING THE SAID LAND LOT LINE COMMON TO LAND LOTS 299 AND 300 NORTH 15 DEGREES 33 MINUTES 56 SECONDS WEST A DISTANCE OF 153.02 FEET TO THE POINT OF BEGINNING; THENCE FROM THE **POINT OF BEGINNING** AS THUS ESTABLISHED NORTH 15 DEGREES 33 MINUTES 56 SECONDS WEST A DISTANCE OF 24.01 FEET TO A POINT; THENCE NORTH 40 DEGREES 51 MINUTES 01 SECONDS EAST A DISTANCE OF 39.82 FEET TO A POINT; THENCE NORTH 27 DEGREES 43 MINUTES 16 SECONDS EAST A DISTANCE OF 16.57 FEET TO A POINT; THENCE SOUTH 49 DEGREES 08 MINUTES 42 SECONDS EAST A DISTANCE OF 20.54 FEET TO A POINT; THENCE SOUTH 27 DEGREES 43 MINUTES 16 SECONDS WEST A DISTANCE OF 14.21 FEET TO A POINT; THENCE SOUTH 40 DEGREES 51 MINUTES 01 SECONDS WEST A DISTANCE OF 55.40 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.03 ACRE (BEING 1,260 SQUARE FEET)