

[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 : Fifth Third Bank
Tax Parcel Identification No.: 11-026001200361
Land Disturbance Permit No.: D240025 WRN24-032
Zoning/Special Use Permit No.: C-1
(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 ____ day of December, 2024, between H&M Alpharetta, 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.

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) 120 and 121 of the 1st District, 1st Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Project Name:

Fifth Third Bank (Alpharetta Common Shopping Center)

Easement Area:

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

This right and easement herein granted being to occupy such portion of my property for the construction, installation, access, maintenance and upgrade of a water vault, water meter and appurtenances therein 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 within the aforesaid boundaries of the above-described easement 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, subject to all matters of record.

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 before me this
____ day of December, 2024.

Debra Feagel
Witness

GRANTOR: H&M ALPHARETTA, LLC

By: HLM Alpharetta, LLC and MPM
Alpharetta, LLC, as its Managing Members

By: *Edward Hanley*
Edward Hanley
Manager

[SEE ATTACHED CALFORNIA ACKNOWLEDGEMENT]

Title:

Notary Public

[NOTARIAL SEAL]

[COMPANY SEAL]

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

On December 6, 2024 before me, Phillip Palazuelos, notary public
(Here insert name and title of the officer)

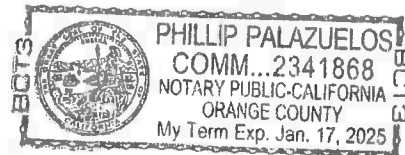
personally appeared Edward Hanley,
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
 Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
Water Vault Easement
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 2 Document Date _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

CAPACITY CLAIMED BY THE SIGNER

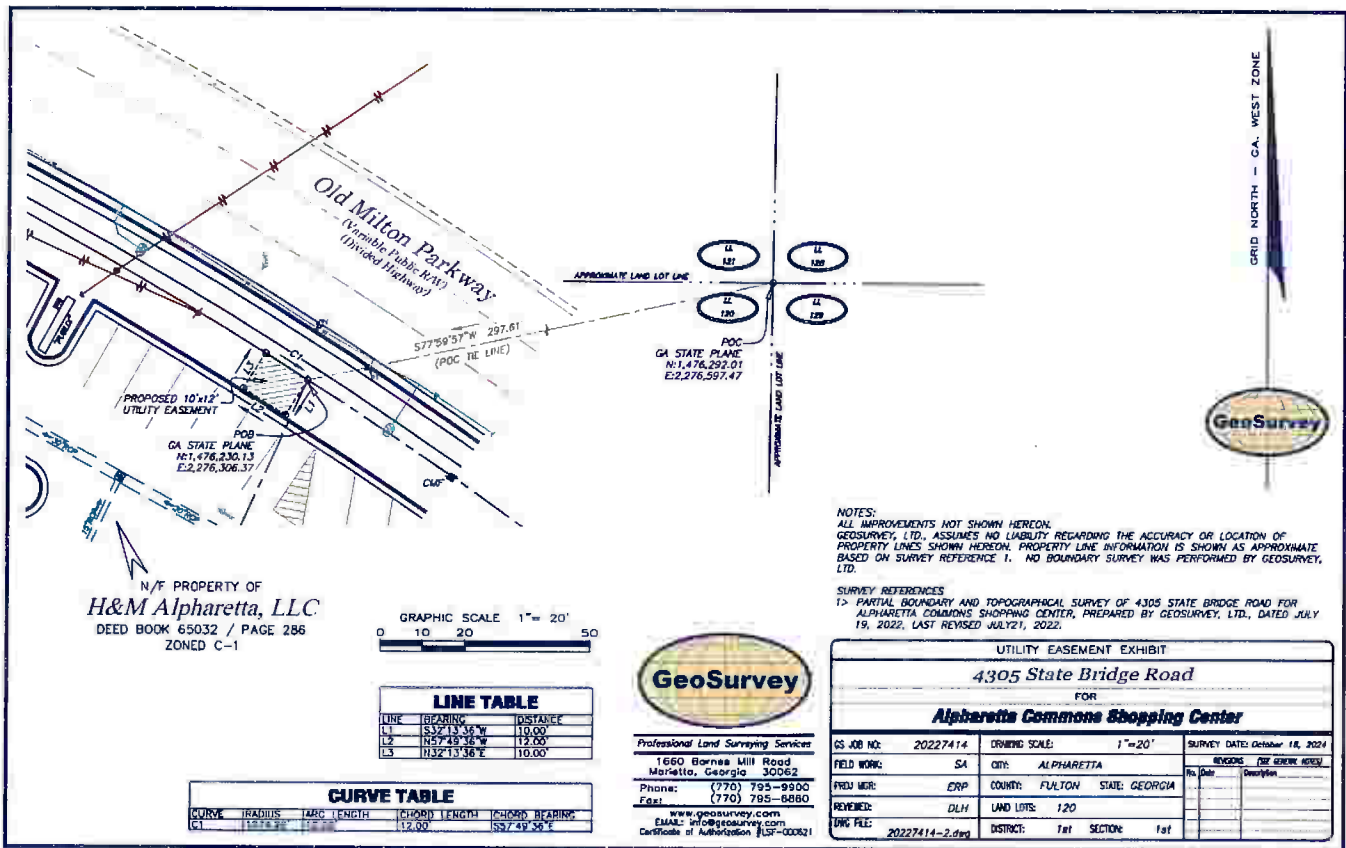
- Individual (s)
 Corporate Officer
- _____ (Title)
- Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

EXHIBIT A

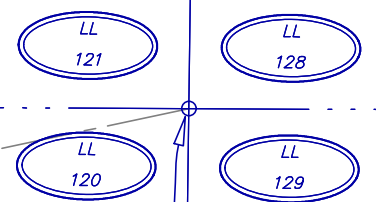
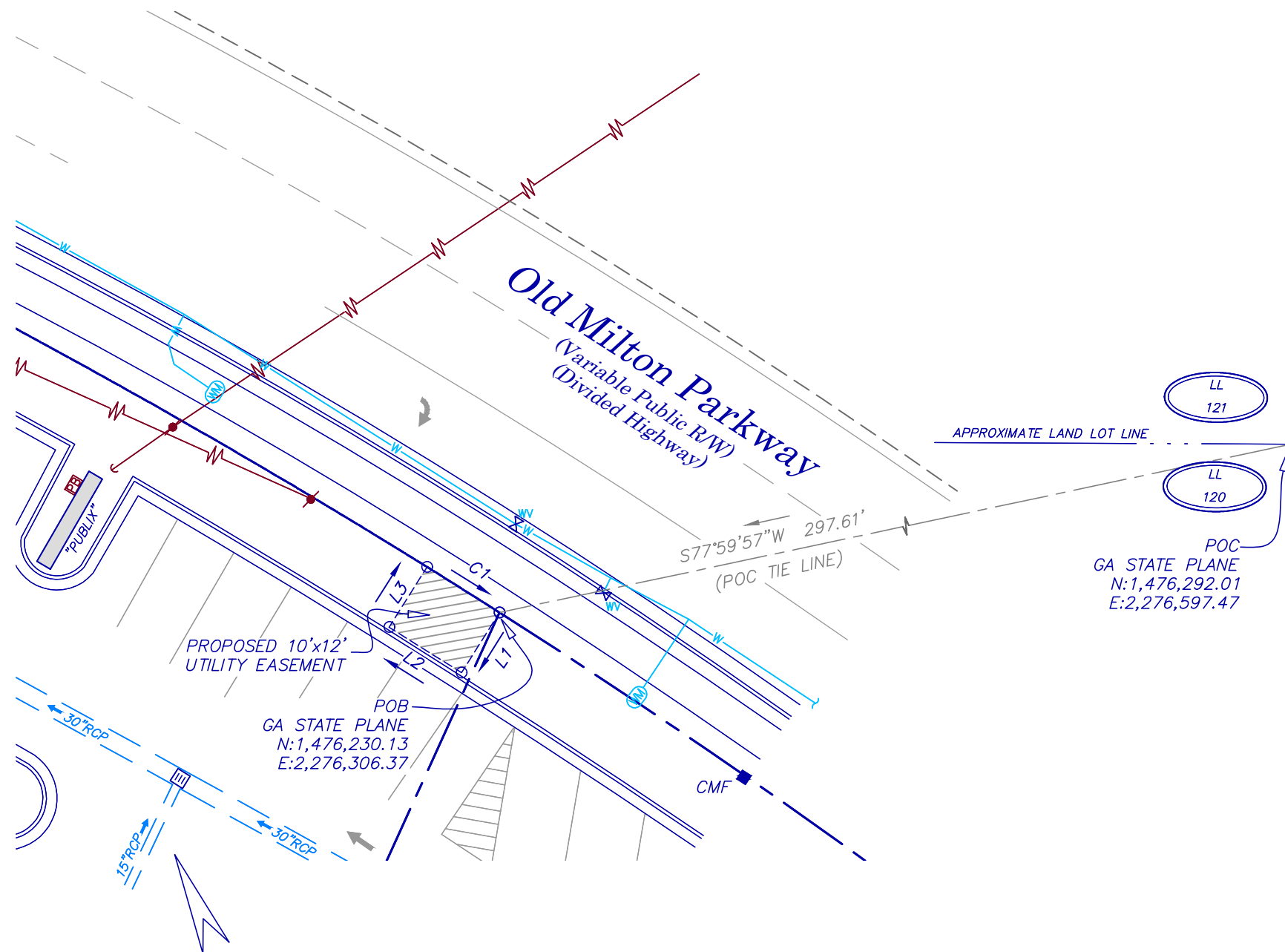
Easement Area Description

All that tract or parcel of land lying and being in Land Lots 120 of the 1st District, 1st Section, City of Alpharetta, Fulton County, Georgia, and subject to all matters of record being more particularly described as follows:

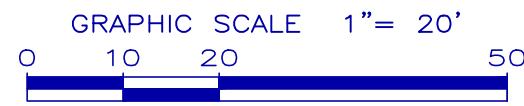
COMMENCING at the Common Land Lot Corner of Land Lots 120, 121, 128, and 129; thence South West for a distance of 297.61 feet to a point and the POINT OF BEGINNING, said POINT OF BEGINNING having State Plane Coordinate Value Northing: 1,476,230.13; Easting 2,276,306.37; Georgia West Zone; thence South 32 degrees 13 minutes 36 seconds West for a distance of 10.00 feet to a point; thence North 57 degrees 49 minutes 36 seconds West for a distance of 12.00 feet to a point; thence North 32 degrees 13 minutes 36 seconds East for a distance of 10.00 feet to a point; thence along a curve to the right, said curve having an arc length of 12.00 feet with a radius of 1074.92 feet, being subtended by a chord bearing of South 57 degrees 49 minutes 36 seconds East for a distance of 12.00 feet to a point and the POINT OF BEGINNING; said tract of land contains 0.003 acres (120 square feet), as hereinafter depicted;



TOGETHER WITH, those portions of Grantor's lands located within ten (10) feet of each boundary of such area.



N/F PROPERTY OF
H&M Alpharetta, LLC
 DEED BOOK 65032 / PAGE 286
 ZONED C-1



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S32°13'36"W	10.00'
L2	N57°49'36"W	12.00'
L3	N32°13'36"E	10.00'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1074.92'	12.00'	12.00'	S57°49'36"E

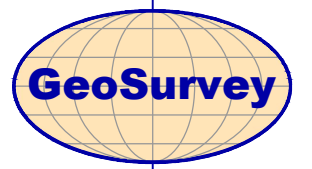


Professional Land Surveying Services
 1660 Barnes Mill Road
 Marietta, Georgia 30062
 Phone: (770) 795-9900
 Fax: (770) 795-8880
 www.geosurvey.com
 EMAIL: info@geosurvey.com
 Certificate of Authorization #LSF-000621

A B
 10/23/24

NOTES:
 ALL IMPROVEMENTS NOT SHOWN HEREON.
 GEOSURVEY, LTD., ASSUMES NO LIABILITY REGARDING THE ACCURACY OR LOCATION OF PROPERTY LINES SHOWN HEREON. PROPERTY LINE INFORMATION IS SHOWN AS APPROXIMATE BASED ON SURVEY REFERENCE 1. NO BOUNDARY SURVEY WAS PERFORMED BY GEOSURVEY, LTD.

SURVEY REFERENCES
 1> PARTIAL BOUNDARY AND TOPOGRAPHICAL SURVEY OF 4305 STATE BRIDGE ROAD FOR ALPHARETTA COMMONS SHOPPING CENTER, PREPARED BY GEOSURVEY, LTD., DATED JULY 19, 2022, LAST REVISED JULY 21, 2022.



GRID NORTH - GA. WEST ZONE

UTILITY EASEMENT EXHIBIT			
4305 State Bridge Road			
FOR			
Alpharetta Commons Shopping Center			
GS JOB NO:	20227414	DRAWING SCALE:	1"=20'
FIELD WORK:	SA	CITY:	ALPHARETTA
PROJ MGR:	ERP	COUNTY:	FULTON STATE: GEORGIA
REVIEWED:	DLH	LAND LOTS:	120
DWG FILE:	20227414-2.dwg	DISTRICT:	1st SECTION: 1st
		SURVEY DATE: October 18, 2024	
REVISIONS (SEE GENERAL NOTES)			
No.	Date	Description	