

[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 : Medley Johns Creek Phase 2  
Tax Parcel Identification No.: 11 106003990399  
Land Disturbance Permit No.: WRN24-070  
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 17th day of April, 20 25, between Medley Johns Creek Phase 2 Owner, LLC, a limited liability company duly organized under the laws of the State of Delaware, 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) 398 and 399 of the 1st District, 1st Section (if applicable) of Fulton County, Georgia, and more particularly described as follows:  
To wit:

Medley Johns Creek Phase 2

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

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 17  
day of April, 20 25  
in the presence of:

Tyler Hancock  
Witness

GRANTOR: Medley Johns Creek Phase 2 Owner, LLC, a Delaware limited liability company

By: Vicky Boyce

Print Name: Vicky Boyce

Title: Authorized Signatory

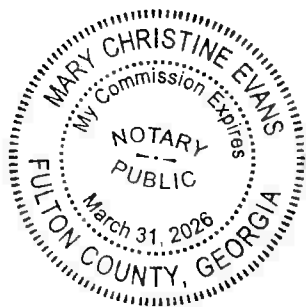
Mary Christine Evans  
Notary Public

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

[NOTARIAL SEAL]



[CORPORATE SEAL]

## EXHIBIT "A"

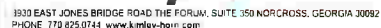
**The Water Vault Easement granted herein pertains only to that portion of the Water Easement Plan which is located on the Property described below:**

### Tract 2

All that tract or parcel of land lying and being in Land Lots 398 and 399 of the 1st District, 1st Section, City of Johns Creek, Fulton County, Georgia and being more particularly described as follows:

To reach the True Point of Beginning, commence at a Right of Way Monument found at the easternmost mitered point of the intersection of the southwesterly Right of Way of McGinnis Ferry Road (Variable R/W) and the southeasterly Right of Way of Johns Creek Parkway (Variable R/W), thence running along said miter South 67° 41' 45" West a distance of 38.05 feet to an iron pin set; thence South 67° 41' 45" West a distance of 31.97 feet to an iron pin set; thence running along the southeasterly and easterly proposed Right of Way of Johns Creek Parkway the following courses: along a curve to the right an arc length of 144.76 feet, (said curve having a radius of 991.71 feet, with a chord bearing of South 35° 39' 57" West, and a chord length of 144.63 feet) to a point; thence running along an arc to the right an arc length of 227.99 feet, (said curve having a radius of 991.75 feet, with a chord bearing of South 46° 26' 01" West, and a chord length of 227.48 feet) to a point; thence South 53° 01' 31" West a distance of 169.35 feet to a point; thence running along a curve to the left an arc length of 353.06 feet, (said curve having a radius of 349.39 feet, with a chord bearing of South 23° 58' 36" West, and a chord length of 338.23 feet) to a point; thence South 05° 01' 35" East a distance of 263.98 feet to an iron pin set and the TRUE POINT OF BEGINNING, from point thus established and leaving the proposed Right of Way of Johns Creek Parkway thence North 84° 58' 25" East a distance of 20.15 feet to an iron pin set; thence running along a curve to the right an arc length of 106.79 feet, (said curve having a radius of 153.00 feet, with a chord bearing of South 75° 01' 53" East, and a chord length of 104.63 feet) to an iron pin set; thence South 55° 02' 11" East a distance of 44.68 feet to an iron pin set; thence South 58° 52' 25" East a distance of 82.18 feet to an iron pin set; thence South 55° 02' 11" East a distance of 272.98 feet to an iron pin set; thence South 34° 57' 49" West a distance of 745.51 feet to an iron pin set; thence North 55° 02' 11" West a distance of 59.15 feet to an iron pin set; thence North 30° 21' 57" East a distance of 13.05 feet to a point; thence North 55° 02' 11" West a distance of 200.03 feet to an iron pin set on the southeasterly proposed Right of Way of Johns Creek Parkway; thence running along the proposed Right of Way the following courses: North 27° 58' 31" East a distance of 221.97 feet to





CLIENT  
TORO DEVELOPMENT  
COMPANY

JOB NUMBER	014602003
SCALE	1" = 100'
DATE	02/10/2025
SHEET	EXHIBIT A

K:\ATL\_Civil\014602003\_Toro Johns Creek\CAD\Exhibits\2025-02-07 Easement Exhibits\Toro MF Subdivision\Water\Toro MF Subdivision Water Vault Easements.dwg Legal Description Feb 10, 2025 3:56pm by: alex.gallegos

**WATER VAULT EASEMENT 2A:**

BEGINNING AT THE SOUTHWESTERN PROPERTY CORNER OF THE PROPERTY LOCATED AT 11350 JOHNS CREEK PARKWAY WITH THE PARCEL NUMBERS 11 106003980408& 11 106003990399. THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 670.00 FEET, AN ARC LENGTH OF 258.83 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 16°54'29" EAST FOR A CHORD DISTANCE OF 257.23 FEET TO A POINT; THENCE NORTH 27°58'31" EAST FOR A DISTANCE OF 384.97 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 750.00 FEET, AN ARC LENGTH OF 431.99 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 11°28'28" EAST FOR A CHORD DISTANCE OF 426.04 FEET TO A POINT; THENCE NORTH 05°01'35" WEST FOR A DISTANCE OF 56.55 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING. THENCE SOUTH 84°58'25" WEST FOR A DISTANCE OF 18.98 FEET TO A POINT; THENCE SOUTH 04°30'47" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 84°58'25" EAST FOR A DISTANCE OF 6.65 FEET TO A POINT; THENCE SOUTH 05°01'35" EAST FOR A DISTANCE OF 11.19 FEET TO A POINT; THENCE NORTH 84°58'25" EAST FOR A DISTANCE OF 12.49 FEET TO A POINT; THENCE NORTH 04°59'10" WEST FOR A DISTANCE OF 31.19 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING. SAID TRACT CONTAINING 0.01 ACRES (604 SF) MORE OR LESS.

DS  
BS  
05/21/2025 | 10:13 AM EDT

Fulton County Government  
Project #WRN24-070

**Kimley**  **Horn**

3930 EAST JONES BRIDGE ROAD  
THE FORUM, SUITE 350  
NORCROSS, GEORGIA 30092  
PHONE 770.825.0744 [www.kimley-horn.com](http://www.kimley-horn.com)

PROJECT:

MEDLEY-JOHNS  
CREEK TOWN  
CENTER

TITLE:

MULTI-FAMILY  
WATER EASEMENT  
LEGAL  
DESCRIPTIONS

CLIENT:

TORO  
DEVELOPMENT  
COMPANY

JOB NO.: 014602003

SCALE: N.T.S

DATE 02/10/2025

SHEET:  
**EXHIBIT B**

CONSENT JOINDER TO  
WATER VAULT EASEMENT

The Development Authority of Fulton County (the “DAFC”) is the owner of the fee simple interest in the property subject to Lease Agreement by and between DAFC and Medley Johns Creek Phase 2 Owner, LLC dated December 1, 2024 (the “Lease”) as evidenced by that Short Form Lease Agreement recorded in Deed Book 68498, page 103 of the Fulton County Georgia records. DAFC hereby consents and joins in the execution of the within and foregoing Water Vault Easement for purposes of evidencing its agreement thereto.

Notwithstanding the foregoing or anything to the contrary contained herein or in the Water Vault Easement, nothing in this Consent or the Water Vault Easement shall be deemed to (i) increase the liability of DAFC or (ii) restrict or subordinate the Unassigned Rights (as defined in the Lease) of DAFC. Further notwithstanding anything to the contrary contained herein or in the Water Vault Easement, DAFC makes no representations or warranties regarding the status of its title in the Project (as defined in the Lease) or any encumbrances thereon.

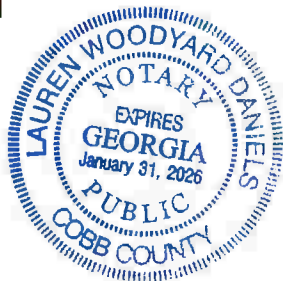
[Signature on the following page.]

IN WITNESS WHEREOF, this Consent is signed, sealed and delivered by the DAFC this 22 day of May, 2025.

Signed, sealed and delivered in  
the presence of:

Amy Mays  
Unofficial Witness

[Signature]  
Notary Public  
My commission expires: 01/31/26  
[NOTARIAL SEAL]



DEVELOPMENT AUTHORITY OF  
FULTON COUNTY

By: [Signature]  
Name: Kwanza Hall  
Title: Chairman  
[CORPORATE SEAL]





CONSENT JOINDER TO  
WATER VAULT EASEMENT

Synovus Bank ("Synovus") is the Grantee of that Deed to Secure Debt, Assignment of Rents and Leases and Security Agreement granted by Development Authority of Fulton County dated December 1, 2024 and recorded in Deed Book 68498, page 129 of the Fulton County Georgia records. Synovus hereby consents and joins in the execution of the within and foregoing Water Vault Easement for purposes of evidencing its agreement thereto.

IN WITNESS WHEREOF, this Consent is signed, sealed and delivered by the Synovus this 22 day of May, 2025.

Signed, sealed and delivered in  
the presence of:

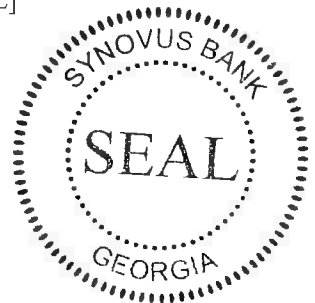
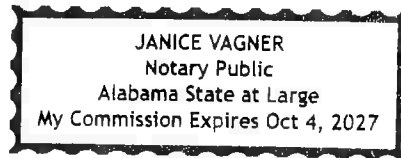
SYNOVUS BANK

Natashe Sisk  
Unofficial Witness

By: [Signature]  
Name: Debra Matthews  
Title: SVP

[CORPORATE SEAL]

Janice Vagner  
Notary Public  
My commission expires:  
[NOTARIAL SEAL]



CONSENT TO  
WATER VAULT EASEMENT

Banco Inbursa, S.A., Institución De Banca Múltiple, Grupo Financiero Inbursa ("Banco Inbursa") is the Grantee of that Amended and Restated Fee and Leasehold Deed to Secure Debt, Assignment of Rents and Leases, Collateral Assignment of Property Agreements, Security Agreement and Fixture Filing granted by Development Authority of Fulton County, Medley Johns Creek Phase 1 Owner, LLC, and Medley Johns Creek Phase 2 Owner, LLC dated December 5, 2024 and recorded in Deed Book 68498, page 149 of the Fulton County Georgia records. Banco Inbursa hereby consents in the execution of the within and foregoing Water Vault Easement for purposes of evidencing its agreement thereto.

IN WITNESS WHEREOF, this Consent is signed, sealed and delivered by Banco Inbursa this 2<sup>nd</sup> day of May, 2025.

Signed, sealed and delivered in  
the presence of:

Christine A. Gilleland  
Unofficial Witness

Martin Thomas Brown  
Notary Public  
My commission expires: - 6-28-2027  
[NOTARIAL SEAL]

**BANCO INBURSA, S.A., INSTITUCIÓN DE  
BANCA MÚLTIPLE, GRUPO FINANCIERO  
INBURSA**, an entity formed under the laws of the  
United Mexican States

By: **TRIMONT LLC**, its servicer

By: Brad Bullock  
Name: Brad Bullock  
Title: Authorized Signatory  
[CORPORATE SEAL]

