

After recording return to:
Michael Graham, Land Administrator
Fulton County Land Division
141 Pryor Street, SW, Suite 8021
Atlanta, GA 30303

Cross Reference

Deed/Plat Book 66715, Page 683
Deed Book _____, Page ____

INDEMNIFICATION, MAINTENANCE AND LAND USE AGREEMENT FOR PRIVATE IMPROVEMENT

THIS AGREEMENT made this 14th day of April 2023, between LWV TPA GA 400 LLC a property owner within Fulton County, Georgia, his successors, affiliates and assigns, as Indemnitor ("Owner"), and FULTON COUNTY, GEORGIA, a political subdivision of the State of Georgia ("County").

For good and valuable consideration, receipt of which is hereby acknowledged, it is hereby agreed as follows:

1.

Owner warrants that he is the full and true owner and has clear title to that certain property known as Land Lots 744, 745, 752, 753 / 1st District / 2nd Section, and as more fully described in that certain conveyance recorded in Deed Book 55728, Page 461 of Fulton County, Georgia records, on which Owner desires to install certain private improvements (the "Private Improvements") as more fully described in Exhibit "A", attached hereto and incorporated herein by reference.

2.

Previously, Fulton County was granted a water meter easement, as referenced in and recorded at Deed Book 66715, Page 683 of Fulton County, Georgia records, and hereby grants Owner a License to enter within portions of its water meter easement, to construct, repair and replace, from time to time as may be needed, certain private improvements at his sole cost and responsibility, said private improvements as the same are more fully described in Exhibit "A" (the "Private Improvements").

3.

With respect to this License, Owner shall install and construct the Private Improvements in a good and workmanlike manner and in compliance with all state, local, and Fulton County laws and regulations, including but not limited to, all current state, local and Fulton County laws and regulations governing soil erosion and sedimentation control. Owner will at all times adhere to best management

practice procedures to protect the environment in connection with the construction, repair and/or maintenance of the Private Improvements.

4.

This License shall commence on the date of execution hereof and shall continue in full force and effect unless and until it is terminated at the will of the County.

5.

Owner may terminate this License and Agreement by written notice to the County and shall remove the Private Improvement at his sole costs and return the area to its natural vegetative state. If during the term of this License, the area containing the Private Improvements is condemned by the County or its assign, Owner shall make no claim in the condemnation proceedings for compensation for the Private Improvements.

6.

Fulton County personnel and/or agents shall have free access to and across the Private Improvements to perform routine maintenance and any emergency repairs to the existing public improvements.

7.

Owner shall be solely responsible for the maintenance, repair and replacement of the Private Improvements and the County grants Owner a right of access in order to carry out these obligations.

8.

Notwithstanding any other provisions, in the case of an emergency, Fulton County may immediately suspend or revoke the License without notice in order to protect the health, safety, and welfare of the public. In non-emergency situations, after providing at least 10 days' notice to Owner, Fulton County may suspend or revoke the License in order to carry out any necessary governmental function. In the event of the suspension or revocation of the License, Owner must cure all defects specified by the County in its notice and within the time reasonably specified by the County. Failure on the part of Owner to cure any defects within the allotted time will be grounds for the County to terminate the License. Alternately, the County may, but shall not be required to, cure any such defect at the sole cost and expense of Owner. The County may elect to terminate the License at will and remove the Private Improvements without liability for loss or damage for such removal. Fulton County shall remove the Private Improvements so as not to damage other portions of Owner's property and is granted a right of entry by Owner on the other portions of Owner's property to effectuate the repair, if necessary.

9.

Owner hereby agrees to indemnify Fulton County and hold Fulton County harmless from any and all damages which Fulton County may suffer and from any and all liability, claims, penalties, forfeitures, suits, and costs and expenses incident to the granting of the License and this Agreement (including cost of defense, settlement, and reasonable attorney's fees), which it may hereafter incur, become responsible for, or pay out as a result of the death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violations of governmental laws, regulations, or orders caused, in whole or in part, by the negligent act, negligent omission or willful misconduct of Owner, his employees, subcontractors, or assigns in the performance of this License or Agreement.

10.

Owner agrees to repair or replace in a manner acceptable to the County and/or the owner thereof any public utilities damaged by its employees or subcontractors during performance of this License and Agreement or resulting from the failure of the Private Improvements. At its election the County may repair or replace the damaged utility and assess all costs against Owner.

11.

The License conveyed to Owner by this Agreement shall be binding upon Owner, his assigns, affiliates, and successors. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. If any provisions of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement, which shall remain in full force and effect, and enforceable in accordance with its terms.

12.

The License conveyed to Owner by this Agreement shall constitute a covenant running with the land and shall be recorded in the real property records of Fulton County, Georgia and shall be binding upon all subsequent transferees of said property.

13.

All notices, consents, request, demands or other communications to or upon the respective party shall be in writing and shall be effective for all purposes upon receipt, including, but not limited to, in the case of (i) personal delivery; (ii) delivery by messenger, express or air courier or similar courier; or (iii) delivery by United States first class certified or registered mail, postage prepaid and addressed as follows:

COUNTY: Fulton County
Director of Public Works
141 Pryor Street, SW, 6th. Floor
Atlanta, GA. 30303

with a copy to: County Attorney
Office of the County Attorney
141 Pryor Street, SW, Suite 4038
Atlanta, GA. 30303

OWNER: LWV TPA GA 400 LLC
1776 Peachtree Street NW, Suite 100
Atlanta, GA 30309


Re: Land Lots 744, 745, 752, 753 District 1 Section 2

Parcel Numbers: 12 272007440795, 12 272007440787, 12
271007520713, 12 285007530811, 12 285007530829, 12 272007440779, 12 272007440555


IN WITNESS WHEREOF, the parties have executed this Agreement at Atlanta, Georgia, as of the day and year first above written.

Signatures:

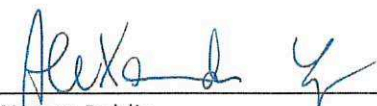
Signed sealed and delivered in the presence of OWNER (Authorized Party to Bind Said Entity)



Unofficial Witness



Owner Signature



Notary Public
My Commission Expires: 11-19-2025

Owner's Address:
1776 Peachtree Street NW, Suite 100
Atlanta, GA 30309

(Notary Seal)

(Notary Stamp)



Attest:

FULTON COUNTY, GEORGIA

Clerk of Commission

By: _____
Chairman, Board of Commissioners

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

David E. Clark, Director
Department of Public Works

County Attorney

Exhibit "A"

THIS WATER LINE EASEMENT IS SUBJECT TO (1) THAT CERTAIN DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR 360 TECH VILLAGE DATED JUNE 2, 2020, BY LWV TPA GA 400 LLC (THE "MASTER DECLARATION"), (2) THAT CERTAIN INTERGOVERNMENTAL AGREEMENT BETWEEN FULTON COUNTY, GEORGIA AND CITY OF ALPHARETTA, GEORGIA FOR REPAIR OF ROADWAYS AND ENVIRONS AT THE LAKEVIEW DEVELOPMENT, DATED JANUARY 18, 2022 (THE "IGA"), (3) THAT CERTAIN PRIVATE DEVELOPMENT AGREEMENT DATED NOVEMBER 18, 2021, AMONG THE CITY OF ALPHARETTA, LWV TPA GA 400 LLC AND 360 TECH VILLAGE OWNERS ASSOCIATION, INC. (THE "ASSOCIATION") (THE "PDA"); AND (4) THAT CERTAIN WATER SYSTEM OWNERSHIP, OPERATION, MAINTENANCE AND REPAIR AGREEMENT TO BE EXECUTED BY AND AMONG LWV TPA GA 400 LLC AND FULTON COUNTY, GEORGIA, WHICH COLLECTIVELY PROVIDE THAT (A) THE ROADWAYS WITHIN 360 TECH VILLAGE (REFERRED TO IN THE IGA AS THE LAKEVIEW DEVELOPMENT) (THE "ROADWAYS") ARE PRIVATELY OWNED BY THE ASSOCIATION AND/OR THE CURRENT PRIVATE OWNER(S) OF THE LAND ON WHICH THE ROADWAYS ARE LOCATED (THE "ROADWAY LAND OWNER"), (B) THE ASSOCIATION AND/OR THE ROADWAY LAND OWNER ARE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE ROADWAYS AND ENVIRONS DUE TO ANY REQUIRED REPAIR OR MAINTENANCE TO THE PUBLIC WATER SYSTEM, SPECIFICALLY, AND AS AGREED UPON BY THE PARTIES IN THE IGA, THE COUNTY WILL ONLY BE RESPONSIBLE FOR REPAIR OF ITS WATER INFRASTRUCTURE, STABILIZATION AND BACKFILL OF ANY REQUIRED EXCAVATION AND A CONCRETE CAP FINISHED AT THE ROADWAY SUBGRADE LEVEL, (SEE SECTION 1 OF THE PDA AND SECTION 6.1(B) OF THE MASTER DECLARATION), AND (C) SUCH OWNERSHIP AND OBLIGATIONS OF THE ASSOCIATION AND/OR THE ROADWAY LAND OWNER SHALL BE BINDING UPON THE SUCCESSORS PARTIES OF THE ASSOCIATION AND THE ROADWAY LAND OWNERS (SEE SECTION 4(E) OF THE PDA AND SECTION 2.1 OF THE MASTER DECLARATION).

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 45,076 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS LEAST SQUARES ADJUSTED.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,021,425 FEET.

A LEICA TS06+ TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

SURVEYOR'S CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Brock J. Buchholz

12/05/2022
DATE

BROCK J. BUCHHOLZ
GEORGIA REGISTERED LAND SURVEYOR NUMBER 3210



REVISED 02-07-23

WATTS & BROWNING ENGINEERS, INC.

CIVIL ENGINEERS & LAND SURVEYORS
1349 OLD 41 HWY NW STE 225
MARIETTA, GEORGIA 30060

PHONE: (678) 324-6192
FAX: (770) 694-6870

WWW.WBENG.COM
LSF000429 - PEF000714

1 OF 9

WATER LINE EASEMENT DEDICATION OF
LOT 4D - GEORGIA 400 CENTER FOR
LWV TPA GA 400, LLC
LOCATED IN
LAND LOTS 744, 745, 752 & 753
1ST DISTRICT, 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

REFERENCE MATERIALS

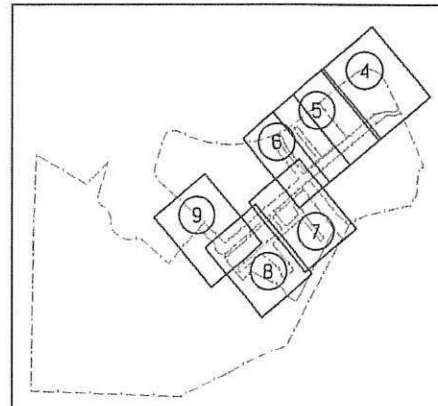
1) FINAL SUBDIVISION PLAT: OF LOT 4D - GEORGIA 400 CENTER, PREPARED FOR LWV TPA GA 400, LLC, LOCATED IN LAND LOTS 744, 745, 752, & 753, 1ST DISTRICT, 2ND SECTION, CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA, PREPARED BY WATTS AND BROWNING ENGINEERS INC., DRAFTED MAY 15, 2020, LAST REVISED AUGUST 24, 2022, FILED FOR RECORD SEPTEMBER 28, 2022 IN PLAT BOOK 453, PAGE 70 OF FULTON COUNTY RECORDS, GEORGIA.

SURVEYORS NOTES:

1. BOUNDARY LINES SHOWN HEREON ARE TAKEN FROM SURVEY REFERENCE ITEM NO. 1
2. THE DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
3. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.
4. ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. WATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.
5. ANY DEPICTION OF GROUNDWATER FEATURES (RIVERS, STREAMS, CREEKS, SPRINGS, DITCHES, PONDS, LAKES), NATURAL OR OTHERWISE, SHOWN ON THIS SURVEY ARE MERELY OBSERVATIONS AT THE TIME OF THE SURVEY AND NOT A STATEMENT AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTAL CONDITION. WATTS & BROWNING ENGINEERS, INC. SURVEY PERSONNEL ARE NOT ENVIRONMENTAL PROFESSIONALS. WATTS & BROWNING ENGINEERS, INC. OFFERS NO CERTIFICATION AS TO EXISTENCE OR NON-EXISTENCE OF ANY GROUNDWATER FEATURE OR ENVIRONMENTALLY SENSITIVE AREAS ON OR NEAR THE SUBJECT PROPERTY AS MAY BE DEFINED BY FEDERAL, STATE OR LOCAL GOVERNMENTAL REGULATIONS. PRIOR TO PLANNING OR CONSTRUCTION, AN ENVIRONMENTAL PROFESSIONAL SHOULD BE CONSULTED TO DETERMINE HOW THE SUBJECT PROPERTY MAY, OR MAY NOT, BE AFFECTED BY ENVIRONMENTAL ISSUES.
6. BASIS OF BEARING SHOWN HEREON (GRID NORTH, WEST ZONE) WAS BASED ON FULTON COUNTY GPS MARTA MONUMENT # F 421 USING A LEICA GPS SYSTEM 500 ON OCTOBER 16, 2015. ALL DIMENSIONS SHOWN HEREON ARE AT GROUND LEVEL.

LINE	ARC	CHORD BEARING	RADIUS	CHORD
C1	16.06'	N88°49'46"W	53.50'	16.00'
C2	4.62'	N82°04'46"W	71.50'	4.62'
C3	20.00'	N66°52'30"E	706.65'	20.00'

WATER
EASEMENT
AREA
1.82169 AC
79,353 SF

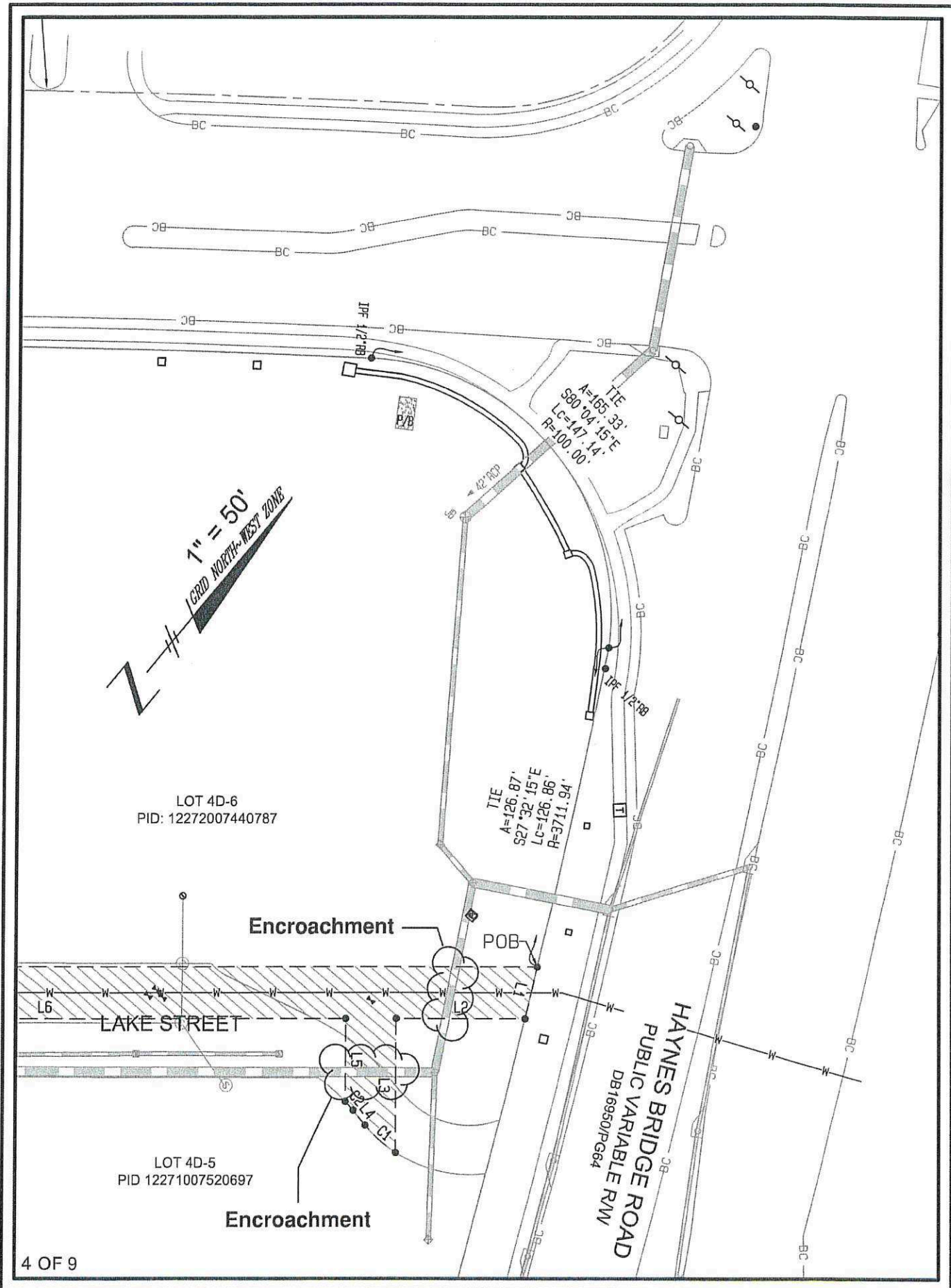


LINE	DIST	BEARING
L1	20.58'	S26°23'58"E
L2	50.60'	S49°55'19"W
L3	51.76'	S40°04'41"E
L4	7.57'	N80°13'43"W
L5	32.00'	N40°04'41"W
L6	239.05'	S49°55'19"W
L7	29.72'	S40°04'41"E
L8	20.00'	S49°55'19"W
L9	29.72'	N40°04'41"W
L10	367.54'	S49°55'19"W
L11	28.63'	S40°04'41"E
L12	20.00'	S49°55'19"W
L13	28.63'	N40°04'41"W
L14	183.94'	S49°55'19"W
L15	126.25'	S39°54'23"E
L16	14.45'	N49°57'02"E
L17	17.07'	N38°30'55"W
L18	26.08'	N52°58'29"E
L19	15.69'	S40°02'58"E
L20	3.81'	N49°57'02"E
L21	15.22'	N40°02'58"W
L22	20.00'	N49°57'02"E
L23	15.22'	S40°02'58"E
L24	3.28'	N49°57'02"E
L25	15.07'	N40°02'58"W
L26	20.00'	N49°57'02"E
L27	15.07'	S40°02'58"E
L28	28.43'	N49°57'02"E
L29	75.42'	N39°45'23"W
L30	20.00'	N50°14'37"E
L31	85.37'	S39°45'23"E
L32	185.30'	S40°16'36"E
L33	20.00'	S49°43'40"W
L34	7.10'	N40°16'20"W
L35	22.20'	S49°43'40"W
L36	20.00'	N40°16'20"W
L37	22.20'	N49°43'40"E
L38	20.69'	N40°16'20"W
L39	22.01'	S49°43'40"W
L40	20.00'	N40°16'20"W
L41	22.01'	N49°43'40"E
L42	3.90'	N40°16'20"W
L43	22.12'	S49°43'40"W
L44	20.00'	N40°16'20"W
L45	22.12'	N49°43'40"E
L46	12.26'	N40°16'20"W
L47	21.98'	S49°43'40"W
L48	20.00'	N40°16'20"W
L49	21.98'	N49°43'40"E
L50	4.43'	N40°16'20"W
L51	21.47'	S49°43'40"W
L52	20.00'	N40°16'20"W
L53	21.47'	N49°43'40"E
L54	3.75'	N40°16'20"W
L55	22.30'	S49°43'40"W
L56	20.00'	N40°16'20"W
L57	22.30'	N49°43'40"E
L58	3.30'	N40°16'20"W
L59	219.15'	S49°57'02"W
L60	178.45'	S40°00'17"E
L61	17.60'	S06°21'45"W
L62	58.86'	S49°47'20"W
L63	19.32'	S54°57'30"W
L64	20.00'	N35°02'30"W
L65	18.42'	N54°57'30"E

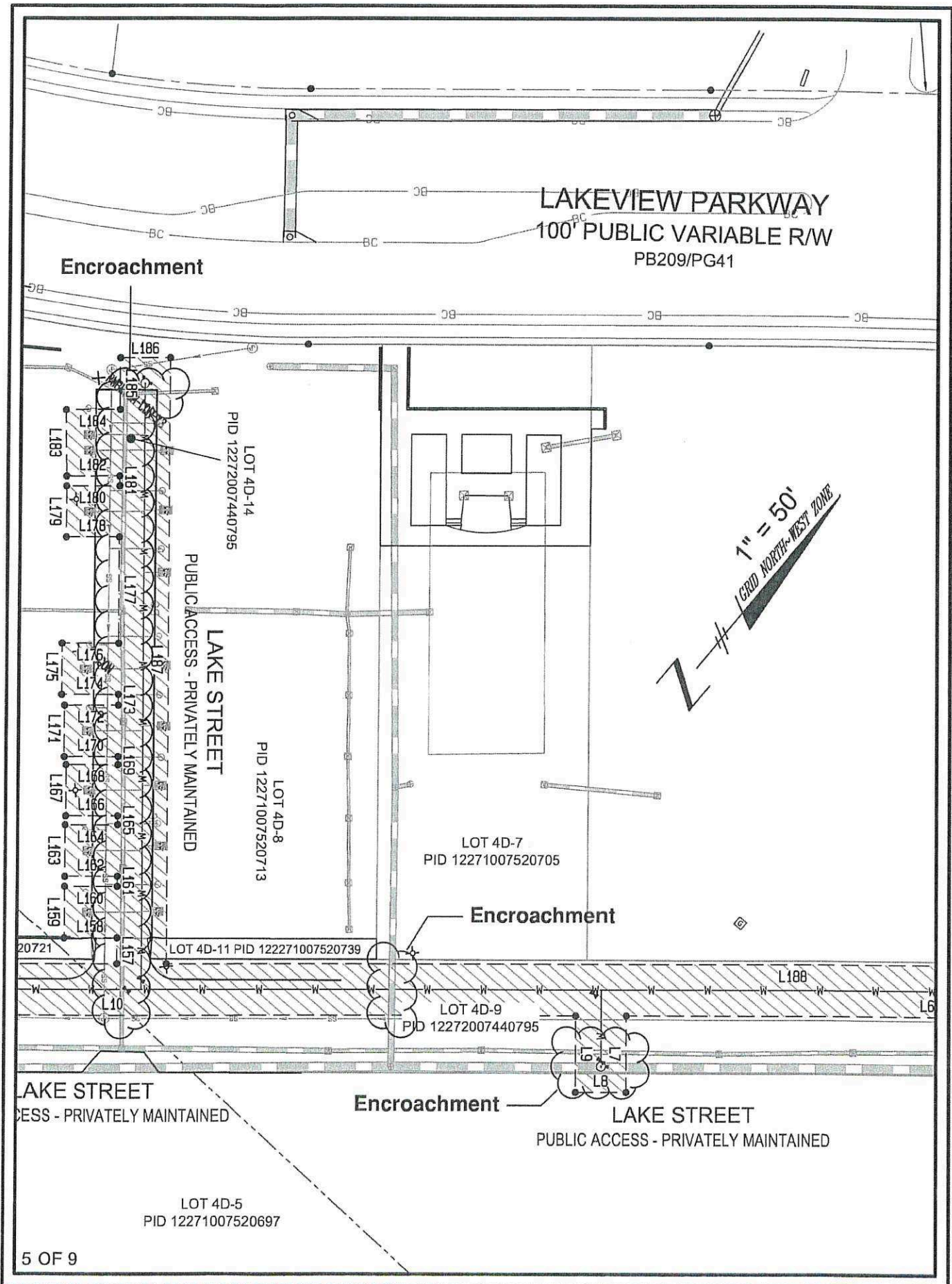
LINE	DIST	BEARING
L66	11.68'	N49°47'20"E
L67	77.04'	N38°59'38"W
L68	19.56'	S37°57'47"W
L69	20.00'	N52°02'13"W
L70	19.60'	N37°57'47"E
L71	3.43'	N52°02'13"W
L72	18.45'	S37°57'47"W
L73	20.00'	N52°02'13"W
L74	18.45'	N37°57'47"E
L75	4.85'	N52°02'13"W
L76	18.98'	S37°57'47"W
L77	20.00'	N52°02'13"W
L78	18.98'	N37°57'47"E
L79	4.37'	N52°02'13"W
L80	18.18'	S37°57'47"W
L81	20.00'	N52°02'13"W
L82	19.83'	N37°57'47"E
L83	2.71'	N40°41'10"W
L84	160.09'	S49°57'02"W
L85	17.44'	S48°09'33"W
L86	20.00'	N41°50'27"W
L87	3.86'	N48°09'33"E
L88	15.91'	N41°50'27"W
L89	20.00'	N48°09'33"E
L90	16.10'	S41°50'27"E
L91	4.48'	N49°57'02"E
L92	16.16'	N40°02'58"W
L93	20.00'	N49°57'02"E
L94	16.16'	S40°02'58"E
L95	4.17'	N49°57'02"E
L96	15.72'	N40°02'58"W
L97	20.00'	N49°57'02"E
L98	15.72'	S40°02'58"E
L99	15.56'	N49°57'02"E
L100	15.84'	N40°02'58"W
L101	20.00'	N49°57'02"E
L102	15.84'	S40°02'58"E
L103	3.90'	N49°57'02"E
L104	15.66'	N40°02'58"W
L105	20.00'	N49°57'02"E
L106	15.66'	S40°02'58"E
L107	3.20'	N49°57'02"E
L108	15.75'	N40°02'58"W
L109	20.00'	N49°57'02"E
L110	15.75'	S40°02'58"E
L111	15.90'	N49°57'02"E
L112	15.83'	N40°02'58"W
L113	20.00'	N49°57'02"E
L114	15.83'	S40°02'58"E
L115	4.95'	N49°57'02"E
L116	15.88'	N40°02'58"W
L117	20.00'	N49°57'02"E
L118	15.88'	S40°02'58"E
L119	3.15'	N49°57'02"E
L120	15.31'	N40°02'58"W
L121	20.00'	N49°57'02"E
L122	15.31'	S40°02'58"E
L123	16.51'	N49°57'02"E
L124	15.87'	N40°02'58"W
L125	20.00'	N49°57'02"E
L126	15.87'	S40°02'58"E
L127	2.97'	N49°57'02"E
L128	15.96'	N40°02'58"W
L129	20.00'	N49°57'02"E
L130	15.96'	S40°02'58"E

LINE	DIST	BEARING
L131	5.04'	N49°57'02"E
L132	16.27'	N40°02'58"W
L133	20.00'	N49°57'02"E
L134	16.27'	S40°02'58"E
L135	12.56'	N49°57'02"E
L136	126.24'	N39°54'23"W
L137	289.97'	S49°55'19"W
L138	39.26'	N83°30'24"W
L139	33.51'	N48°07'09"W
L140	23.02'	S41°52'51"W
L141	20.00'	N48°07'09"W
L142	23.02'	N41°52'51"E
L143	72.59'	N48°07'09"W
L144	32.13'	N02°11'54"W
L145	23.43'	N47°57'06"W
L146	20.00'	N41°48'57"E
L147	31.95'	S47°57'06"E
L148	32.10'	S02°11'54"E
L149	111.25'	S48°07'09"E
L150	24.27'	S83°30'24"E
L151	546.25'	N49°55'19"E
L152	184.13'	N40°00'04"W
L153	97.53'	N23°02'41"W
L154	94.58'	S23°02'41"E
L155	181.12'	S40°00'04"E
L156	124.22'	N49°55'19"E
L157	10.05'	N40°08'20"W
L158	21.65'	S49°51'40"W
L159	20.00'	N40°08'20"W
L160	21.65'	N49°51'40"E
L161	3.92'	N40°08'20"W
L162	21.57'	S49°51'40"W
L163	20.00'	N40°08'20"W
L164	21.57'	N49°51'40"E
L165	3.48'	N40°08'20"W
L166	21.36'	S49°51'40"W
L167	20.00'	N40°08'20"W
L168	21.36'	N49°51'40"E
L169	3.16'	N40°08'20"W
L170	22.14'	S49°51'40"W
L171	20.00'	N40°08'20"W
L172	22.14'	N49°51'40"E
L173	4.21'	N40°08'20"W
L174	23.23'	S49°51'40"W
L175	20.00'	N40°08'20"W
L176	23.23'	N49°51'40"E
L177	41.65'	N40°08'20"W
L178	21.81'	S49°51'40"W
L179	20.00'	N40°08'20"W
L180	21.81'	N49°51'40"E
L181	3.87'	N40°08'20"W
L182	21.87'	S49°51'40"W
L183	25.97'	N40°53'23"W
L184	22.21'	N49°37'41"E
L185	20.17'	N40°08'20"W
L186	20.00'	N49°51'40"E
L187	236.59'	S40°08'20"E
L188	496.90'	N49°55'19"E
L189	169.87'	S40°00'17"E
L190	1.07'	S06°21'45"W
L191	18.31'	S49°47'20"W
L192	79.09'	N38°59'38"W
L193	84.54'	N52°02'13"W
L194	8.89'	N40°41'10"W
L195	35.42'	N49°57'02"E
L196	20.00'	S49°57'02"W

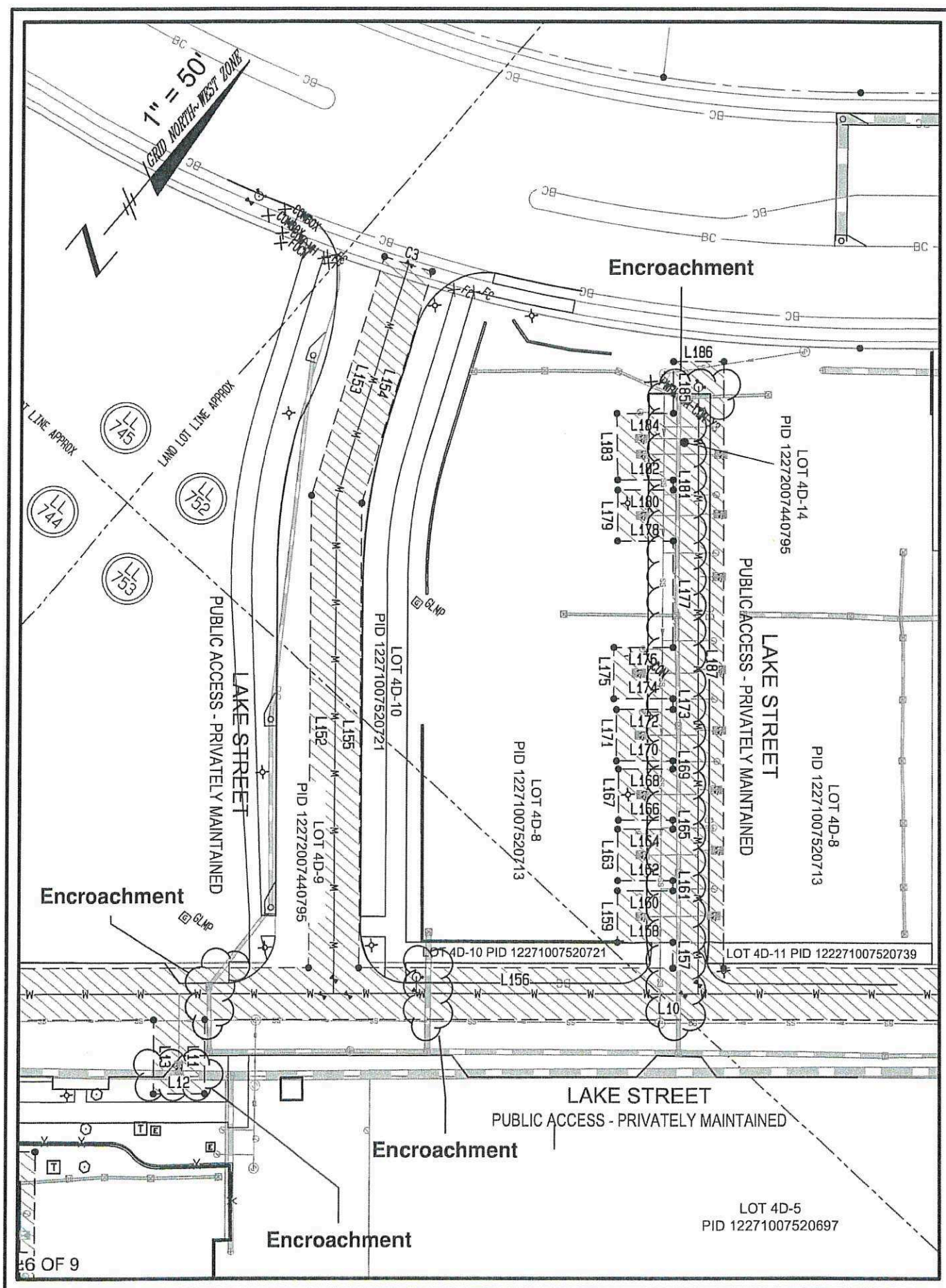
Total Water Encroachment - Approximately 3,518 SF



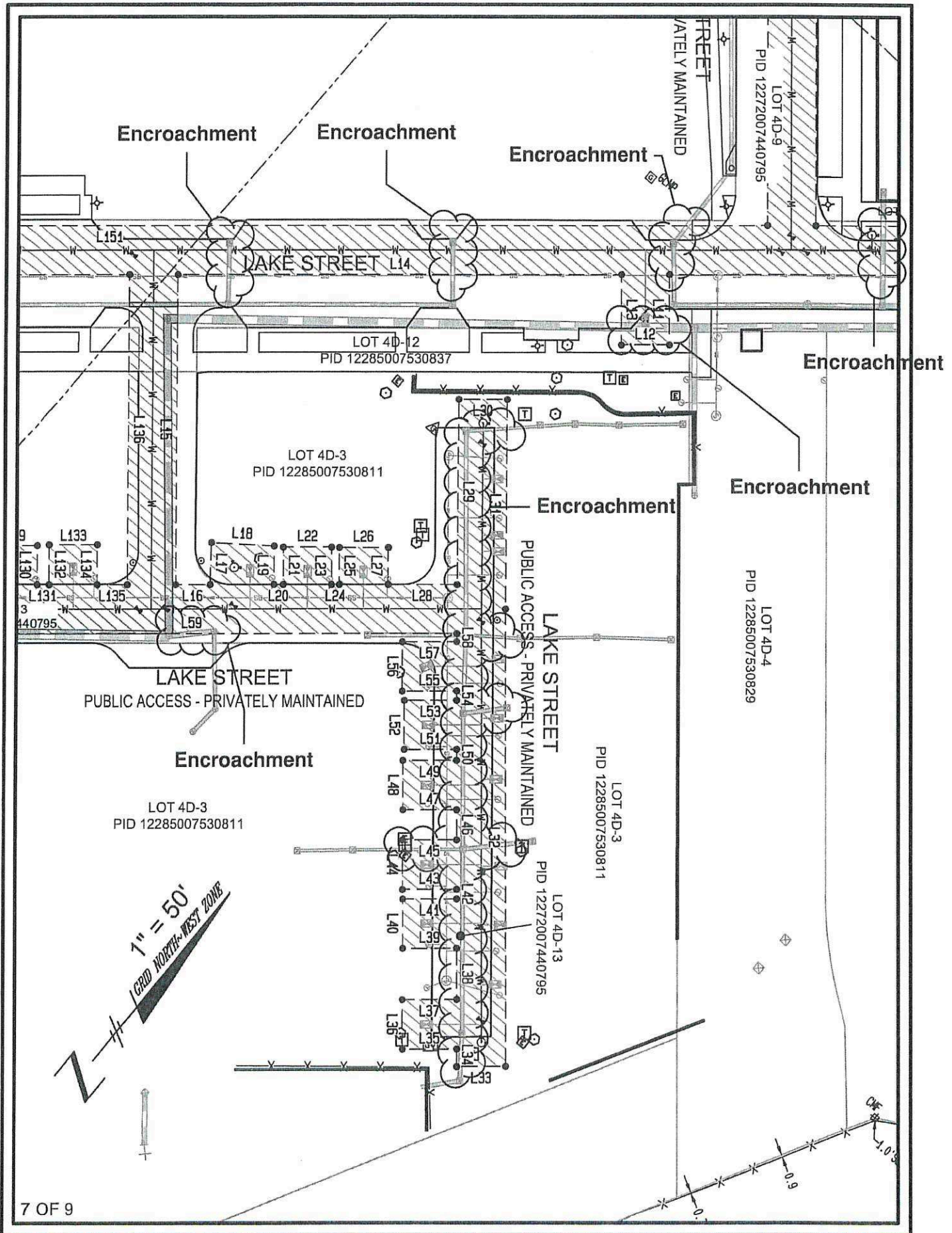
Total Water Encroachment - Approximately 3,518 SF



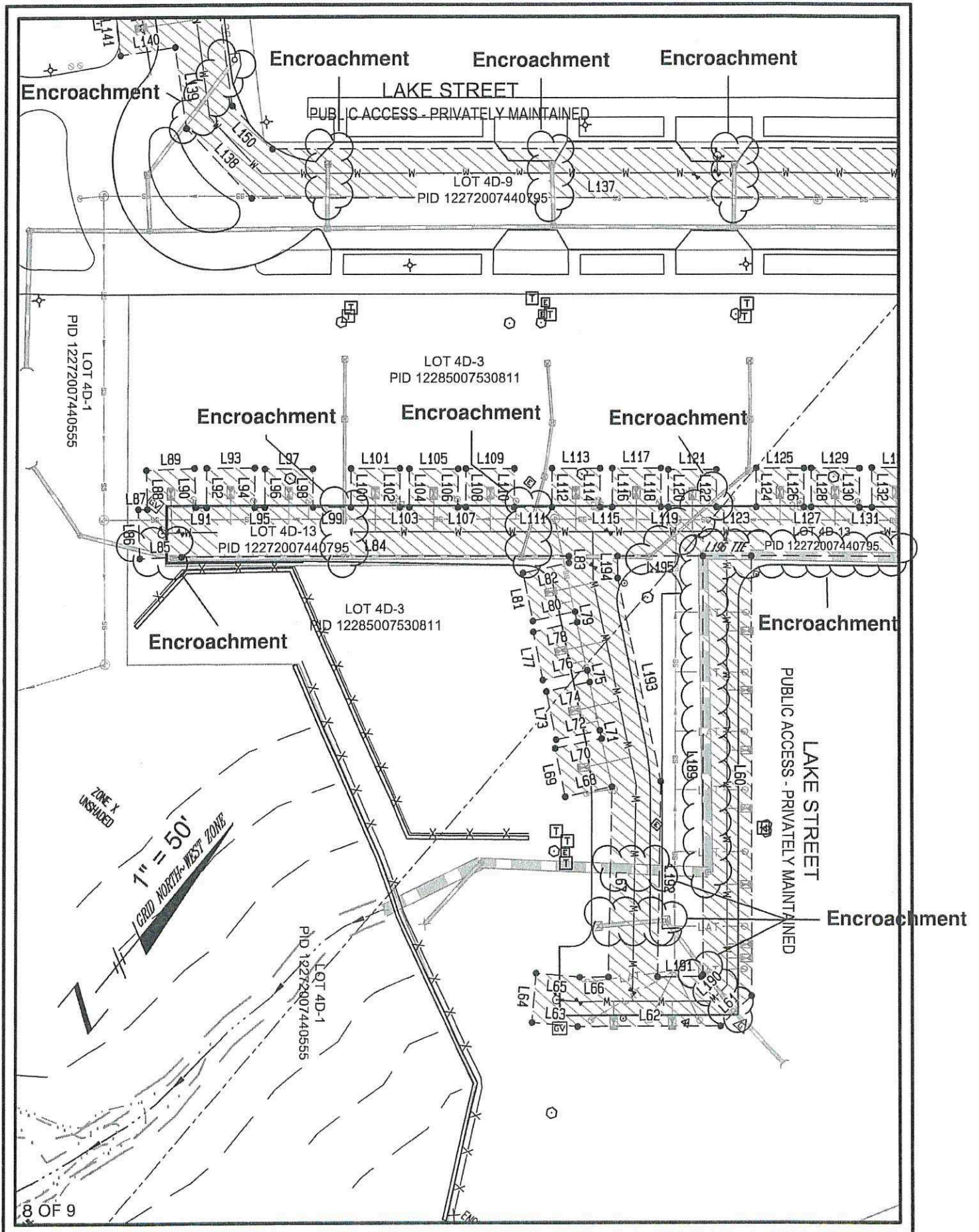
Total Water Encroachment - Approximately 3,518 SF



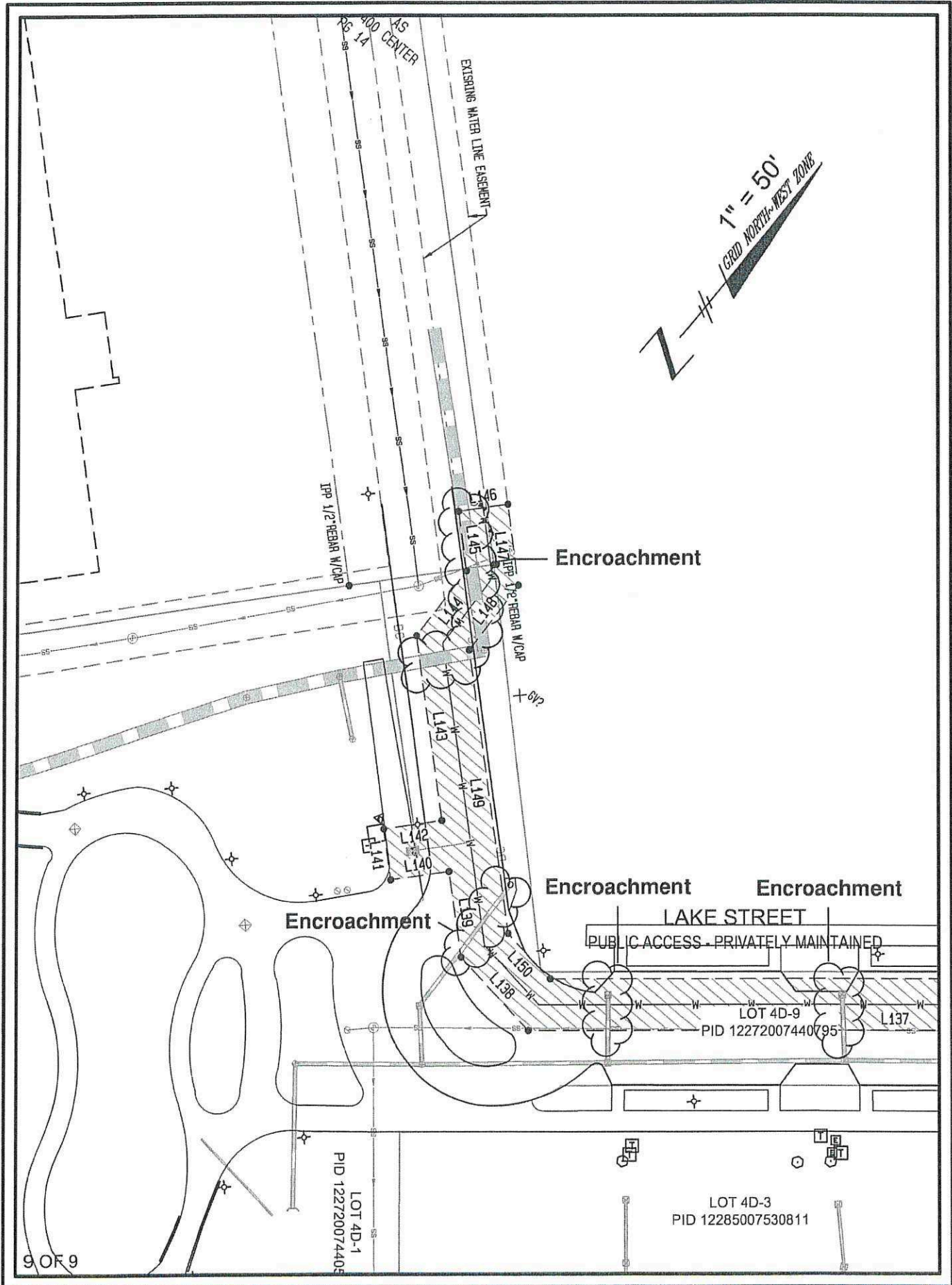
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**DESCRIPTION OF PROPERTY
GA 400 CENTER / LAKEVIEW PARK / TECH 360
20' PERMANENT WATER EASEMENT**

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 744, 745, 752 & 753 OF THE 1ST DISTRICT, 2ND SECTION, CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN PLACED (1/2" REBAR) LOCATED AT THE MOST SOUTHERLY MARGIN OF THE CURVED INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY (100' R/W; PLAT BOOK 209, PAGE 41) WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HAYNES BRIDGE ROAD (VARIABLE R/W; PLAT BOOK 453, PAGE 70) THENCE 126.87 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 3711.94 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 27°32'15" EAST, 126.86 FEET TO THE **POINT OF BEGINNING**.

FROM THE **POINT OF BEGINNING** THUS ESTABLISHED; THENCE SOUTH 26°23'58" EAST, A DISTANCE OF 20.58 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 50.60 FEET TO A POINT; THENCE SOUTH 40°04'41" EAST FOR A DISTANCE OF 51.76 FEET TO A POINT; THENCE 16.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 53.50 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 88°49'46" WEST, 16.00 FEET TO A POINT; THENCE NORTH 80°13'43" WEST FOR A DISTANCE OF 7.57 FEET TO A POINT; THENCE 4.62 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 71.50 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 82°04'46" WEST, 4.62 FEET TO A POINT; THENCE NORTH 40°04'41" WEST FOR A DISTANCE OF 32.00 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 239.05 FEET TO A POINT; THENCE SOUTH 40°04'41" EAST FOR A DISTANCE OF 29.72 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 40°04'41" WEST FOR A DISTANCE OF 29.72 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 367.54 FEET TO A POINT; THENCE SOUTH 40°04'41" EAST FOR A DISTANCE OF 28.63 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 40°04'41" WEST FOR A DISTANCE OF 28.63 FEET TO A POINT; THENCE SOUTH 49°55'19" WEST FOR A DISTANCE OF 183.94 FEET TO A POINT; THENCE SOUTH 39°54'23" EAST FOR A DISTANCE OF 126.25 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 14.45 FEET TO A POINT; THENCE NORTH 38°30'55" WEST FOR A DISTANCE OF 17.07 FEET TO A POINT; THENCE NORTH 52°58'29" EAST FOR A DISTANCE OF 26.08 FEET TO A POINT; THENCE SOUTH 40°02'58" EAST FOR A DISTANCE OF 15.69 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 3.81 FEET TO A POINT; THENCE NORTH 40°02'58" WEST FOR A DISTANCE OF 15.22 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 40°02'58" EAST FOR A DISTANCE OF 15.22 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 3.28 FEET TO A POINT; THENCE NORTH 40°02'58" WEST FOR A DISTANCE OF 15.07 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 40°02'58" EAST FOR A DISTANCE OF 15.07 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 28.43 FEET TO A POINT; THENCE NORTH 39°45'23" WEST FOR A DISTANCE OF 75.42 FEET TO A POINT; THENCE NORTH 50°14'37" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 39°45'23" EAST FOR A DISTANCE OF 85.37 FEET TO A POINT; THENCE SOUTH 40°16'36" EAST FOR A DISTANCE OF 185.30 FEET TO

A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 7.10 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 22.20 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 22.20 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.69 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 22.01 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 22.01 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 3.90 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 22.12 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 12.26 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 21.98 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 21.98 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 4.43 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 21.47 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 21.47 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 3.75 FEET TO A POINT; THENCE SOUTH 49°43'40" WEST FOR A DISTANCE OF 22.30 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°43'40" EAST FOR A DISTANCE OF 22.30 FEET TO A POINT; THENCE NORTH 40°16'20" WEST FOR A DISTANCE OF 3.30 FEET TO A POINT; THENCE SOUTH 49°57'02" WEST FOR A DISTANCE OF 219.15 FEET TO A POINT; THENCE SOUTH 40°00'17" EAST FOR A DISTANCE OF 178.45 FEET TO A POINT; THENCE SOUTH 06°21'45" WEST FOR A DISTANCE OF 17.60 FEET TO A POINT; THENCE SOUTH 49°47'20" WEST FOR A DISTANCE OF 58.86 FEET TO A POINT; THENCE SOUTH 54°57'30" WEST FOR A DISTANCE OF 19.32 FEET TO A POINT; THENCE NORTH 35°02'30" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 54°57'30" EAST FOR A DISTANCE OF 18.42 FEET TO A POINT; THENCE NORTH 49°47'20" EAST FOR A DISTANCE OF 11.68 FEET TO A POINT; THENCE NORTH 38°59'38" WEST FOR A DISTANCE OF 77.04 FEET TO A POINT; THENCE SOUTH 37°57'47" WEST FOR A DISTANCE OF 19.56 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 37°57'47" EAST FOR A DISTANCE OF 19.60 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 3.43 FEET TO A POINT; THENCE SOUTH 37°57'47" WEST FOR A DISTANCE OF 18.45 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 37°57'47" EAST FOR A DISTANCE OF 18.45 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 4.85 FEET TO A POINT; THENCE SOUTH 37°57'47" WEST FOR A DISTANCE OF 18.98 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 37°57'47" EAST FOR A DISTANCE OF 18.98 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 4.37 FEET TO A POINT; THENCE SOUTH 37°57'47" WEST FOR A DISTANCE OF 18.18 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 37°57'47" EAST FOR A DISTANCE OF 19.83 FEET TO A POINT; THENCE NORTH 40°41'10" WEST FOR A DISTANCE OF 2.71 FEET TO A POINT; THENCE SOUTH 49°57'02" WEST FOR A DISTANCE OF 160.09 FEET TO A POINT; THENCE SOUTH 48°09'33" WEST FOR A DISTANCE OF 17.44 FEET TO A POINT; THENCE NORTH 41°50'27" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 48°09'33" EAST FOR A DISTANCE OF 3.86 FEET TO A POINT; THENCE NORTH 41°50'27" WEST FOR A DISTANCE OF 15.91 FEET TO A POINT; THENCE NORTH 48°09'33" EAST FOR A DISTANCE

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EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 47°57'06" EAST FOR A DISTANCE OF 31.95 FEET TO A POINT; THENCE SOUTH 02°11'54" EAST FOR A DISTANCE OF 32.10 FEET TO A POINT; THENCE SOUTH 48°07'09" EAST FOR A DISTANCE OF 111.25 FEET TO A POINT; THENCE SOUTH 83°30'24" EAST FOR A DISTANCE OF 24.27 FEET TO A POINT; THENCE NORTH 49°55'19" EAST FOR A DISTANCE OF 546.25 FEET TO A POINT; THENCE NORTH 40°00'04" WEST FOR A DISTANCE OF 184.13 FEET TO A POINT; THENCE NORTH 23°02'41" WEST FOR A DISTANCE OF 97.53 FEET TO A POINT; THENCE 20.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 706.65 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 66°52'30" EAST, 20.00 FEET TO A POINT; THENCE SOUTH 23°02'41" EAST FOR A DISTANCE OF 94.58 FEET TO A POINT; THENCE SOUTH 40°00'04" EAST FOR A DISTANCE OF 181.12 FEET TO A POINT; THENCE NORTH 49°55'19" EAST FOR A DISTANCE OF 124.22 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 10.05 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 21.65 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 21.65 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 3.92 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 21.57 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 21.57 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 3.48 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 21.36 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 21.36 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 3.16 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 22.14 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 22.14 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 4.21 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 23.23 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 23.23 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 41.65 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 21.81 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 21.81 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 3.87 FEET TO A POINT; THENCE SOUTH 49°51'40" WEST FOR A DISTANCE OF 21.87 FEET TO A POINT; THENCE NORTH 40°53'23" WEST FOR A DISTANCE OF 25.97 FEET TO A POINT; THENCE NORTH 49°37'41" EAST FOR A DISTANCE OF 22.21 FEET TO A POINT; THENCE NORTH 40°08'20" WEST FOR A DISTANCE OF 20.17 FEET TO A POINT; THENCE NORTH 49°51'40" EAST FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 40°08'20" EAST FOR A DISTANCE OF 236.59 FEET TO A POINT; THENCE NORTH 49°55'19" EAST FOR A DISTANCE OF 496.90 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 1.91258 ACRES, OR 83,312 SQUARE FEET.

LESS AND EXCEPT THE FOLLOWING DESCRIPTION OF PROPERTY:

COMMENCING AT AN IRON PIN PLACED (1/2" REBAR) LOCATED AT THE MOST SOUTHERLY MARGIN OF THE CURVED INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY (100' R/W; PLAT BOOK 209, PAGE 41) WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HAYNES BRIDGE

ROAD (VARIABLE R/W; PLAT BOOK 453, PAGE 70), THENCE SOUTH 34°34'24" WEST, A DISTANCE OF 1095.70 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS ESTABLISHED THENCE SOUTH 40°00'17" EAST, A DISTANCE OF 169.87 FEET TO A POINT; THENCE SOUTH 06°21'45" WEST FOR A DISTANCE OF 1.07 FEET TO A POINT; THENCE SOUTH 49°47'20" WEST FOR A DISTANCE OF 18.31 FEET TO A POINT; THENCE NORTH 38°59'38" WEST FOR A DISTANCE OF 79.09 FEET TO A POINT; THENCE NORTH 52°02'13" WEST FOR A DISTANCE OF 84.54 FEET TO A POINT; THENCE NORTH 40°41'10" WEST FOR A DISTANCE OF 8.89 FEET TO A POINT; THENCE NORTH 49°57'02" EAST FOR A DISTANCE OF 35.42 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 0.09089 ACRES, OR 3,959 SQUARE FEET.