



Fulton County

Legislation Details (With Text)

File #: 24-0375 **Version:** 1 **Name:**

Type: Consent - Infrastructure and Economic Development **Status:** Agenda Ready

File created: 5/2/2024 **In control:** Board of Commissioners

On agenda: 6/5/2024 **Final action:**

Title: Request approval of an Indemnification, Maintenance, and Land Use Agreement for Private Improvement (Indemnification Agreement) between Fulton County, a political subdivision of the State of Georgia, and 116 North Main, LLC, for the purpose of granting conditional approval to allow concrete stairs to remain within the County’s existing water vault easement at 116 and 126 North Main Street, Alpharetta, Georgia 30009. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 116 WL IA (Executed)

Date	Ver.	Action By	Action	Result
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Department

Real Estate and Asset Management

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

Request approval of an Indemnification, Maintenance, and Land Use Agreement for Private Improvement (Indemnification Agreement) between Fulton County, a political subdivision of the State of Georgia, and 116 North Main, LLC, for the purpose of granting conditional approval to allow concrete stairs to remain within the County’s existing water vault easement at 116 and 126 North Main Street, Alpharetta, Georgia 30009. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

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

Fulton County is authorized to grant an encroachment on its water line/vault easement pursuant to Fulton County Code, Subpart B-Code of Resolutions - Appendix A - Subdivision Regulations, Article IX (Required Improvements), Section 9.5.5(c), which states the following in part: “No retaining wall, building, pole, sign or other vertical structure shall be constructed in sanitary and storm sewer easements, including vehicular access easements around structures, without approval from the [Director of Public Works].”

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

All Districts

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

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: 116 North Main, LLC, the owner of the real property located at 116 and 126 North Main Street, Alpharetta, Georgia, has requested the conditional approval of the Fulton County Board of Commissioners to allow their concrete stairs to remain within the County’s existing water vault easement at 116 and 126 North Main Street, Alpharetta, Georgia 30009.

The Department of Public Works and the Department of Real Estate and Asset Management are requesting approval to amend the terms of the County’s water vault easement agreement at 116 and 126 North Main Street, Alpharetta, Georgia.

The Department of Public Works has completed an onsite assessment of the encroachment area of approximately 50 square feet and confirmed the County’s water system will not be adversely impacted and can continue to be properly maintained if this encroachment is granted.

The purpose of the Indemnification Agreement is to formally affirm the terms of Fulton County’s conditional approval of the encroachment of private improvements within the County’s water vault easement area at 116 and 126 North Main Street, Alpharetta, Georgia.

Community Impact: The Indemnification Agreement allows Fulton County full access to maintain its water service line while granting the property owner the conditional approval to allow already installed improvements to remain within the County’s water vault easement area.

Department Recommendation: The Department of Real Estate and Asset Management accepts the conclusion of the Department of Public Works to accept the terms of the Indemnification Agreement and recommends its approval.

Project Implications: No negative impacts to water services or access to maintain the onsite water service line will result by allowing the requested encroachment within the designated easement area.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

Fiscal Impact / Funding Source

Funding Line 1:

Approval of the Agenda Item does not involve the receipt or payment of funding.