



Fulton County

Legislation Details (With Text)

File #: 24-0373 **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 JEN Georgia 19, LLC, for the purpose of granting conditional approval for the installation of stormwater infrastructure within a portion of the County's existing water line easement at 11190 Rock Mill Road, Alpharetta, Georgia 30022. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Pinecone 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 JEN Georgia 19, LLC, for the purpose of granting conditional approval for the installation of stormwater infrastructure within a portion of the County's existing water line easement at 11190 Rock Mill Road, Alpharetta, Georgia 30022. **(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: JEN Georgia 19, LLC, the owner of the real property located at 11190 Rock Mill Road, Alpharetta, Georgia, has requested the conditional approval of the Fulton County Board of Commissioners to install stormwater infrastructure within the County’s existing water line easement.

The Fulton County Department of Real Estate and Asset Management (DREAM) and the Fulton County Department of Public Works are requesting approval to amend the terms of the County’s water line easement at 11190 Rock Mill Road, Alpharetta, Georgia.

The Department of Public Works has completed an on-site assessment of the area, which is approximately 1,599 square feet, and confirmed that 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 line easement area at 11190 Rock Mill Road, 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 install stormwater infrastructure within the County’s water line 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 County’s water line will result by allowing stormwater infrastructure within the County’s existing 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.