



Fulton County

Legislation Details (With Text)

File #: 22-0307 **Version:** 1 **Name:**
Type: Consent - Infrastructure and Economic Development **Status:** Passed
File created: 4/13/2022 **In control:** Board of Commissioners
On agenda: 5/4/2022 **Final action:** 5/4/2022
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 Worthing Northwinds, LLC for the purpose of granting conditional approval to allow storm drainage within the County's existing water vault easement at 0 Haynes Bridge Road, Alpharetta, Georgia 30009. (APPROVED)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Northwinds Indemnification Agreement executed, 2. 2022-0307.pdf

Date	Ver.	Action By	Action	Result
5/4/2022	1	Board of Commissioners	approve	Pass

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 Worthing Northwinds, LLC for the purpose of granting conditional approval to allow storm drainage within the County's existing water vault easement at 0 Haynes Bridge Road, Alpharetta, Georgia 30009. **(APPROVED)**

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

Fulton County is authorized to grant an encroachment on its water vault easement pursuant to Fulton County Code, Subpart B-Code of Resolutions - Appendix A - Subdivision Regulations, Article VII (Required Improvements), Section 8.5.5(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 or water vault 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: Worthing Northwinds, LLC is requesting conditional approval of the Fulton County Board of Commissioners to install stormwater drainage structures within the County’s existing water vault easement.

The Department of Public works has completed an onsite assessment of the encroachment area consisting of approximately 325 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 affirm the terms of Fulton County’s conditional approval of the encroachment of private improvements within the County’s water vault easement area at the Northwinds Summit mixed use development at 0 Haynes Bridge Road, Alpharetta, Georgia.

In accordance requirements, all agreements and amendments to contractual agreements involving Fulton County are required to be in writing and approved by the Fulton County Board of Commissioners.

Community Impact: The Indemnification Agreement allows Fulton County full access to maintain its water meter while granting the property owner the conditional approval to install and maintain its storm drainage structure 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 Indemnification Agreement and recommends its approval.

Project Implications: No negative impacts to the water service or access to the water line will result by allowing flatwork and landscaping within the water vault easement area.

Community Issues/Concerns: None.

Department Issues/Concerns: None.