



# Fulton County

## Legislation Details (With Text)

**File #:** 22-0665 **Version:** 1 **Name:**  
**Type:** Consent - Infrastructure and Economic Development **Status:** Agenda Ready  
**File created:** 8/8/2022 **In control:** Board of Commissioners  
**On agenda:** 9/21/2022 **Final action:**  
**Title:** Request approval of an Indemnification, Maintenance, and Land Use Agreement for Private Improvement (Indemnification Agreement) between Fulton County and the City of Sandy Springs for the purpose installing and constructing multi-trail improvements within the County's existing sanitary sewer easement at 7600 Roswell Road, Sandy Springs, Georgia. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Indemnification Maintenance Land Use City of Sandy Springs Multi Use Trail, 2. 2022-0665

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 and the City of Sandy Springs for the purpose installing and constructing multi-trail improvements within the County's existing sanitary sewer easement at 7600 Roswell Road, Sandy Springs, Georgia. **(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 sewer 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:** The Fulton County Department of Real Estate and Asset Management received a request from the City of Sandy Springs requesting the approval of the Fulton County Board of Commissioners to install, construct and maintain trail improvements within an existing Fulton County Sewer Easement at 7600 Roswell Road, Sandy Springs, Georgia.

The Department of Public works has completed an onsite assessment of the encroachment areas and confirmed the County's sewer 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 improvements within the County's sewer easement area at 7600 Roswell Road, Sandy Springs, Georgia.

**Community Impact:** If approved, the Indemnification Agreement will grant the City of Sandy Springs the conditional approval to construct and maintain a multi-use trail for public use within an existing Fulton County sewer 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 sanitary sewer service or access to the sanitary sewer line will result from allowing the City of Sandy Springs to construct a multi-use trail within the County's sewer easement.

**Community Issues/Concerns:** None.

**Department Issues/Concerns:** None.