



# Fulton County

## Legislation Details (With Text)

**File #:** 23-0332      **Version:** 1      **Name:**  
**Type:** Consent - Infrastructure and Economic Development      **Status:** Agenda Ready  
**File created:** 4/25/2023      **In control:** Board of Commissioners  
**On agenda:** 5/17/2023      **Final action:**  
**Title:** Request approval of a Temporary Right of Access Agreement between Fulton County, Georgia ("Grantee") and Thuy Thu Doan and Joseph Ford Hoke ("Grantor") for property located at 2900 West Road, South Fulton, Georgia, for the purpose of the County completing environmental testing and due diligence required to complete planned sewer system improvements. To authorize the Chairman to execute the Temporary Right of Access Agreement. To authorize the County Attorney to approve the Temporary Right of Access Agreement as to form and make modifications thereto prior to execution. Effective upon execution through 365 days, unless extended in writing. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Hoke Right of Access Plats, 2. Right of Access Agreement Morning Creek Doan and Hoke 4.20.pdf, 3. 2023-0332

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 a Temporary Right of Access Agreement between Fulton County, Georgia ("Grantee") and Thuy Thu Doan and Joseph Ford Hoke ("Grantor") for property located at 2900 West Road, South Fulton, Georgia, for the purpose of the County completing environmental testing and due diligence required to complete planned sewer system improvements. To authorize the Chairman to execute the Temporary Right of Access Agreement. To authorize the County Attorney to approve the Temporary Right of Access Agreement as to form and make modifications thereto prior to execution. Effective upon execution through 365 days, unless extended in writing. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

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

Pursuant to Fulton County Code § 1-117, the Board of Commissioners has exclusive jurisdiction and control over exercise such powers as are granted by law or are indispensable to their jurisdiction over county matters and county finances.

**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:** Thuy Thu Doan and Joseph Ford Hoke, the property owners of 2900 West Road, South Fulton, Georgia, have requested that Fulton County execute a Temporary Right of Access Agreement to formalize terms under which Fulton County can complete onsite environmental testing and due diligence for the purpose of completing planned improvements to the County's Morning Creek Sewer System.

Approval of the Fulton County Board of Commissioners is being requested to execute a Temporary Right of Access Agreement, in substantially the form attached hereto to formally acknowledge the terms of access and responsibilities of the parties.

**Community Impact:** Approval of the Temporary Right of Access Agreement will allow the Fulton County Department of Public Works and their contractors to access the real property owned by Thuy Thu Doan and Joseph Ford Hoke to complete due diligence and environmental testing required for improvements to the County's sewer system.

**Department Recommendation:** The Department of Real Estate and Asset Management and the Fulton County Department of Public Works recommends approval of a Temporary Right of Access Agreement to formally acknowledge the terms of access onto Thuy Thu Doan and Joseph Ford Hoke real property at 2900 West Road, South Fulton, Georgia.

**Project Implications:** Approval of the Temporary Right of Access Agreement is part of the initial efforts required to develop comprehensive sewer improvement plans for the Morning Creek Sewer System.

**Community Issues/Concerns:** None.

**Department Issues/Concerns:** None.