



Fulton County Board of Commissioners
Agenda Item Summary

19-0376

BOC Meeting Date
 5/15/2019

Requesting Agency

Real Estate and Asset Management

Commission Districts Affected

1, 7,

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

Request approval of a Sewer Easement Dedication of 12,110.35 square feet between Fulton County, Georgia, a political subdivision of the State of Georgia, and Champions Community Foundation, Inc., for the purpose of constructing the Champions Place Project at 9460 Nesbit Ferry Road, Roswell, Georgia 30022.

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

According to Article XXXIV. – Development Regulations, 34.4.1 Land disturbance permit prerequisites.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

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 proposed Champions Place Project, a commercial special educational needs and disabilities living facility development, will require a connection to the County's sewer system. Fulton County development regulations require that all new sewer connections acknowledge Fulton County's ownership interests in the area(s) in which a sewer connection is being made prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed consists of 12,110.35 square feet and is located in Land Lots 785 and 820 of the 1st District, 2nd Section of Fulton County, Georgia.

Community Impact: Extension of the County's sewer system to further service constituents needs and the addition of a new commercial special educational needs living facility.

Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.

Project Implications: Easement dedications by the legal owner of record to Fulton County are made a part of public records and grant Fulton County access as necessary to perform construction, maintenance and upgrades to the sewer system once the proposed improvements are installed on the owner's property.

Agency Director Approval		County Manager's Approval
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Community Issues/Concerns: None

Department Issues/Concerns: None

History of BOC Agenda Item: None

Contract & Compliance Information

(Provide Contractor and Subcontractor details.)

Agency Director Approval		County Manager's Approval
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	
Signature	Date	

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Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				

Total Contract Value	.
Total M/FBE Values	.
Total Prime Value	.

Fiscal Impact / Funding Source *(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*
 By acceptance of this sewer easement dedication, the County saves land acquisition cost of approximately \$19,500.00.

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*
 Exhibit 1 – Sewer Easement Agreement

Source of Additional Information *(Type Name, Title, Agency and Phone)*
 Liza Carter, Real Estate Specialist, Land Division, 404-612-7875

Agency Director Approval		County Manager's Approval
Typed Name and Title Joseph N. Davis, Director, Department of Real Estate and Asset Management	Phone 404-612-3772	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.

FINANCIAL SUMMARY

Total Contract Value:		MBE/FBE Participation:	
Original Approved Amount: .		Amount: .	%: .
Previous Adjustments: .		Amount: .	%: .
This Request: .		Amount: .	%: .
TOTAL: .		Amount: .	%: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

ROUTING & APPROVALS
(Do not edit below this line)

X	Originating Department:	Davis, Joseph	Date: 4/15/2019
X	County Attorney:	Grandison, Terry	Date: 4/15/2019
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 5/2/2019

[BLANK SPACE ABOVE THIS LINE IS FOR THE SOLE USE OF THE CLERK OF SUPERIOR COURT

THIS DOCUMENT MUST ONLY BE RECORDED BY PERSONNEL OF THE FULTON COUNTY LAND DIVISION

Return Recorded Document to:
Fulton County Land Division
141 Pryor Street, S.W. - Suite 8021
Atlanta, Georgia 30303

Project Name : Champions Place
Tax Parcel Identification No.: 12-2920-0785-040-5 & 075-1
Land Disturbance Permit No.: 18-052WR
Zoning/Special Use Permit No.: N/A
(if applicable)

For Fulton County Use Only
Approval Date: 8-24-18
Initials: je

**SEWER EASEMENT
(Corporate Form)**

STATE OF GEORGIA,
COUNTY OF FULTON

This indenture entered into this 15th day of August, 2018, between Champions Community Foundation, Inc., a corporation duly organized under the laws of the State of Georgia, party of the first part (hereinafter referred to as Grantor) and **FULTON COUNTY**, a Political Subdivision of the State of Georgia, party of the second part and Grantee.

WITNESSETH, that for and in consideration of \$1.00 in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefits which will accrue to the undersigned from the construction of a sewer line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a sewer line through subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to **FULTON COUNTY** and to successors and assigns the right, title, and privilege of easements through subject property located in Land Lot(s) 785 & 820, 2nd Section (if applicable) of District 1st, Fulton County, Georgia, and more particularly described as follows: To wit:

Champions Place
Project Name

[See Exhibit "A" attached hereto and made a part hereof]

Sewer Easement - Corporation
Revised 08/20/2007

This right and easement herein granted being to occupy such portion of my property as would be sufficient for the construction, access, maintenance and upgrade of a sewer line through my property according to the location and size of said sewer line as shown on the map and profile now on file in the office of the Public Works Department of Fulton County, and which size and location may be modified from time to time including in the future after the date of this document to accommodate said sewer line within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor hereby conveys and relinquishes to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said sewer line on both a routine and emergency basis.

Said Grantor hereby warrants that it has the right to sell and convey said sewer line easement and right of access and binds itself, its successors and assigns forever to warrant and defend the right and title to the above described sewer line easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the construction, access, upgrade or maintenance of said sewer line for the use of the property as herein agreed.

IN WITNESS HEREOF said party of the first part has hereunto affixed his/her hand and seal on the day and year first above written.

Signed, sealed and delivered this 17th day of August, 2018 in the presence of:

Witness - [Signature]

[Signature]
Notary Public



[NOTARIAL SEAL]

GRANTOR: CHAMPIONS COMMUNITY FOUNDATION
CORPORATE NAME

By: [Signature]
Print Name: RICHARD THOMPSON

Title: _____
By: [Signature]
Print Name: EDWARD PEASE
Title: DIRECTOR

[CORPORATE SEAL]

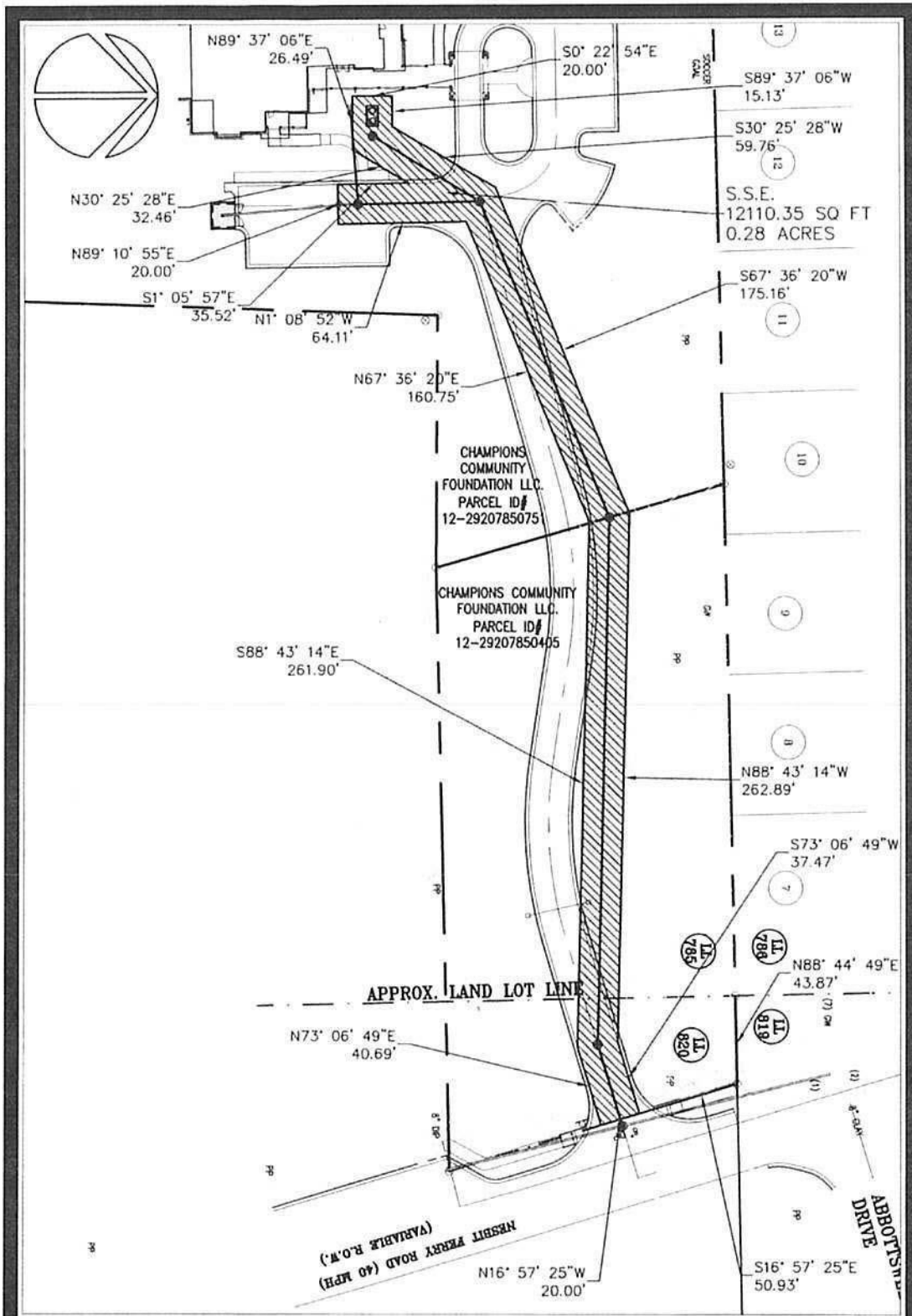



EXHIBIT "A"


JOB NO: 160320
 DRAWN BY: RWH
 CHECKED BY: JCW
 SCALE: 1" = 60'
 DATE: 08/15/2018

**SANITARY
 SEWER
 EASEMENT**

PROJECT:

**CHAMPIONS
 PLACE**

 LAND LOT: 785 & 820
 DISTRICT: 1ST
 FULTON COUNTY
 ROSWELL, GEORGIA


**McFARLAND-DYER
 & ASSOCIATES, INC.**
 474 SILVER PEAR PARKWAY
 SUWANEE, GEORGIA 30024
 PHONE: (770) 932-6550
 FAX: (770) 932-6551
 WWW.GCMDANET

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lots 785 and 820, 1stth District, 2nd Section, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at the land Lot Corner common to Land Lots 819, 820, 785 and 786; thence N 88°44'49" E a distance of 43.87' to a point on the westerly right of way of Nesbit Ferry Road; thence along said right of way S 16°57'25" E a distance of 50.93' to a point; which is the **POINT OF BEGINNING**; Thence leaving said right of way, S 73° 06' 49" W for a distance of 37.47 feet to a point on a line. Thence N 88° 43' 14" W a distance of 262.89 feet to a point on a line. Thence, S 67° 36' 20" W for a distance of 175.16 feet to a point on a line. Thence, S 30° 25' 28" W for a distance of 59.76 feet to a point on a line. Thence, S 89° 37' 06" W for a distance of 15.13 feet to a point on a line. Thence, S 00° 22' 54" E for a distance of 20.00 feet to a point on a line. Thence, N 89° 37' 06" E for a distance of 26.49 feet to a point on a line. Thence, N 30° 25' 28" E for a distance of 32.46 feet to a point on a line. Thence, S 01° 05' 57" E for a distance of 35.52 feet to a point on a line. Thence, N 89° 10' 55" E for a distance of 20.00 feet to a point on a line. Thence, N 01° 08' 52" W for a distance of 64.11 feet to a point on a line. Thence, N 67° 36' 20" E for a distance of 160.75 feet to a point on a line. Thence, S 88° 43' 14" E for a distance of 261.90 feet to a point on a line. Thence, N 73° 06' 49" E for a distance of 40.69 feet to a point on a line on the westerly right of way of Nesbit Ferry Road. Thence along said right of way, N 16° 57' 25" W for a distance of 20.00 feet to a point which is the **POINT OF BEGINNING**, having an area of 12110.35 square feet, 0.28 acres.