



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: September 6, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of the Acceptance of the Permanent Drainage and Temporary Construction Easement (145 River North Drive)

MEETING DATE: For Submission onto the September 11, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER: JEM APPROVED

PLACED ON AGENDA FOR: 9/11/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: M

REMARKS:



TO: John McDonough, City Manager

FROM: Kevin J. Walter, P.E., Public Works Director

DATE: August 28, 2012, for Submission onto the Consent Agenda of the September 11, 2012 City Council Meeting

ITEM: Consideration of the Acceptance of the Permanent Drainage and Temporary Construction Easement.

Public Works Department's Recommendation:

Staff recommends that the Mayor and City Council accept the Permanent Drainage and Temporary Construction Easement on that tract or parcel of land lying and located in Land Lot 128 of the 17th District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by the property owner, Ralph D. Fox; residing at 145 River North Drive. The easement area consists of approximately 226.20 square feet of Permanent Drainage Easement and 600.00 square feet of Temporary Construction Easement.

Background:

The acquisition of the Permanent Drainage and Temporary Construction Easement across the Fox property is necessary in order to access a failing drainage pipe underneath River North Drive. The failing pipe will likely cause significant property damage if repairs aren't performed.

Discussion:

N/A

Alternatives:

The City could elect to forego the repairs to the failing pipe, but would likely be responsible for property damages when flooding occurred.

Financial Impact:

The owners donated the necessary easements and no compensation was needed.

Attachments:

- I. Resolution
- II. Exhibits
 - Aerial and GIS Map of the property
 - Executed Permanent Drainage and Temporary Construction Easement

*Public
Works*

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE PERMANENT DRAINAGE AND TEMPORARY
CONSTRUCTION EASEMENT ON PROPERTY LOCATED IN LAND LOT 128 OF THE 17TH
DISTRICT, CITY OF SANDY SPRINGS,
FULTON COUNTY, GEORGIA**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

WHEREAS, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

WHEREAS, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and approves the acceptance of the Permanent Drainage and Temporary Construction Easement by the City of Sandy Springs for the property located at 145 River North Drive, from Ralph D. Fox, located in Land Lot 128 of the 17th District, City of Sandy Springs, Fulton County, Georgia

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

To facilitate the repairs and maintenance of a stormwater drainage pipe in the River North subdivision, the City approves the acceptance of the Permanent Drainage and Temporary Construction Easement located in Land Lot 128 of the 17th District, City of Sandy Springs, Fulton County, Georgia.

RESOLVED this 11th day of September, 2012.

APPROVED:

Eva Galambos, Mayor

Attest:

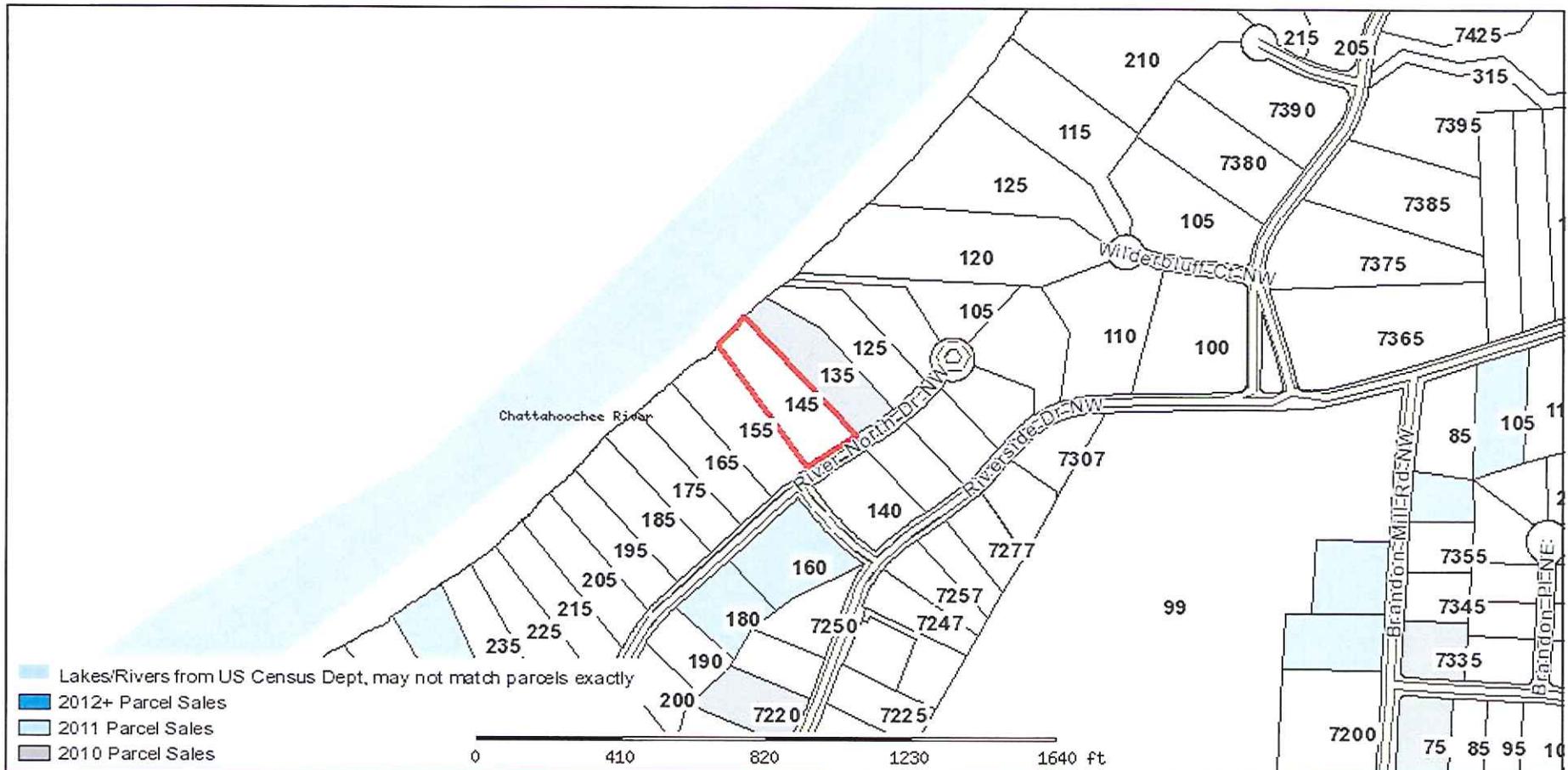
Michael Casey, City Clerk
(Seal)



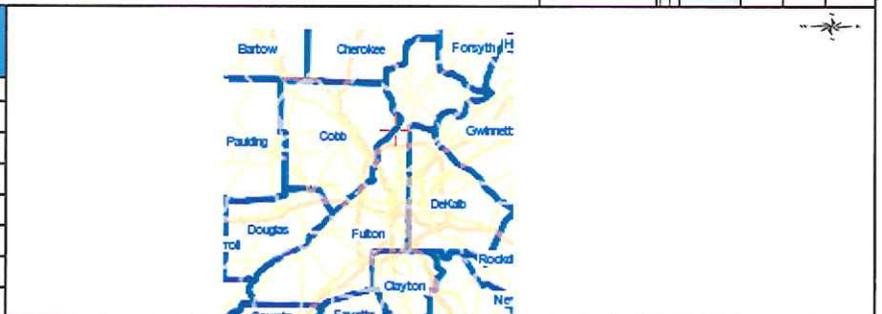
145 River North Drive; Ralph D. Fox; Permanent Drainage Easement			
Parcel: 17 012800010257 Acres: 0			
Name:	FOX RALPH D	Land Value	\$ 102,500
Site:	145 RIVER NORTH DR	Building Value	\$ 303,800
Sale:	\$325,000 on 1986-03-03 Reason=U Qual=8	Misc Value	0
Mail:	145 RIVER NORTH DR NW	Total Value:	\$ 406,300
	SANDY SPRINGS, GA 30328-1111		



The Fulton County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FULTON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--
 Date printed: 08/17/12 : 12:15:23



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Date printed: 08/17/12 : 12:14:18

**PERMANENT DRAINAGE AND TEMPORARY CONSTRUCTION
EASEMENT**

**STATE OF GEORGIA
FULTON COUNTY**

THIS AGREEMENT is entered into the 31 day of July in the year of 2012, between Ralph D. Fox herein referred to as the "Grantor", and the City of Sandy Springs, GA, hereinafter called the "Grantee".

THAT WHEREAS, Grantee is desirous of obtaining a 150.00 square foot Permanent Drainage Easement and a Temporary Construction Easement across the property of Grantor, located in Land Lot 128 of Land District 17 of Fulton County, GA, as is more particularly described in Exhibits "A" and "B" attached hereto and incorporated herein by reference, and:

WHEREAS, Grantor desires to convey said permanent drainage easement and any and all improvements located within said permanent drainage easement in and to the said described property as is further shown on the drawing attached as Exhibit "A", incorporated herein by reference.

NOW, THEREFORE, in consideration of the foregoing recitals and ONE DOLLAR (\$1.00), the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does hereby sell and convey to the City of Sandy Springs, GA a Permanent Drainage Easement and a Temporary Construction Easement as described on and illustrated on Exhibit: "A", attached hereto and incorporated herein by reference.

The easement herein shall bind the heirs and assigns of the undersigned party, and shall inure to the benefit of the successors in title of Grantee.

The Temporary Construction Easement shall expire upon completion and acceptance of the project by the City of Sandy Springs Public Works Department.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness



RALPH D. FOX (L.S.)

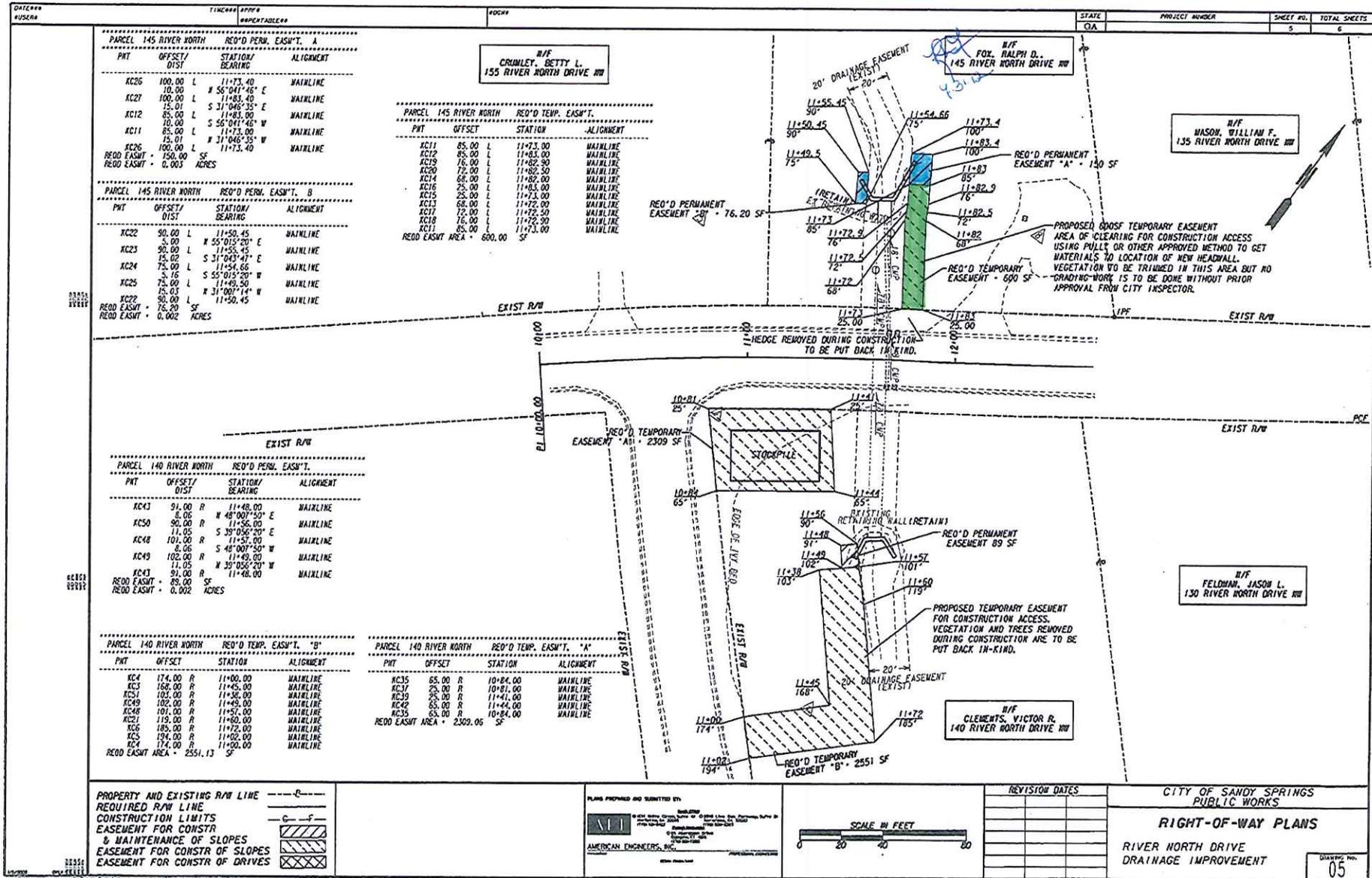


Notary Public

(L.S.)

**Kerry E Missel
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires July 18, 2015**

Exhibit A



PARCEL 145 RIVER NORTH REQ'D PERM. EASMT., A

PNT	OFFSET/DIST	STATION/BEARING	ALIGNMENT
KC26	100.00 L	11+73.40	MAINLINE
KC27	10.00 L	S 56°04'46" E	MAINLINE
KC12	15.01 L	S 31°04'35" E	MAINLINE
KC11	85.00 L	11+83.00	MAINLINE
KC11	85.00 L	S 56°04'46" W	MAINLINE
KC26	15.01 L	11+73.00	MAINLINE
KC26	15.01 L	S 31°04'35" W	MAINLINE
REDD EASMT	150.00 SF	11+73.40	
REDD EASMT	0.003 ACRES		

R/W
CROWLEY, BETTY L.
155 RIVER NORTH DRIVE NW

PARCEL 145 RIVER NORTH REQ'D TEMP. EASMT.

PNT	OFFSET	STATION	ALIGNMENT
KC11	85.00 L	11+73.00	MAINLINE
KC12	85.00 L	11+83.00	MAINLINE
KC19	76.00 L	11+82.90	MAINLINE
KC20	72.00 L	11+82.50	MAINLINE
KC14	68.00 L	11+82.00	MAINLINE
KC16	25.00 L	11+83.00	MAINLINE
KC15	25.00 L	11+73.00	MAINLINE
KC13	68.00 L	11+72.00	MAINLINE
KC17	72.00 L	11+72.50	MAINLINE
KC18	16.00 L	11+72.20	MAINLINE
KC11	85.00 L	11+73.00	MAINLINE
REDD EASMT AREA	600.00 SF		

PARCEL 145 RIVER NORTH REQ'D PERM. EASMT., B

PNT	OFFSET/DIST	STATION/BEARING	ALIGNMENT
KC22	50.00 L	11+50.45	MAINLINE
KC23	50.00 L	S 55°01'20" E	MAINLINE
KC24	15.02 L	S 31°04'37" E	MAINLINE
KC24	75.00 L	11+54.66	MAINLINE
KC25	2.76 L	S 55°01'20" W	MAINLINE
KC25	72.00 L	11+49.50	MAINLINE
KC22	15.03 L	R 31°00'14" W	MAINLINE
KC22	15.00 L	11+50.45	MAINLINE
REDD EASMT	76.20 SF		
REDD EASMT	0.002 ACRES		

PARCEL 140 RIVER NORTH REQ'D PERM. EASMT.

PNT	OFFSET/DIST	STATION/BEARING	ALIGNMENT
KC43	91.00 R	11+48.00	MAINLINE
KC50	8.06 R	W 48°00'50" E	MAINLINE
KC48	11.05 R	S 39°05'20" E	MAINLINE
KC48	8.06 R	S 48°00'50" W	MAINLINE
KC49	102.00 R	11+57.00	MAINLINE
KC49	102.00 R	W 31°05'20" W	MAINLINE
KC43	91.00 R	11+48.00	MAINLINE
REDD EASMT	89.00 SF		
REDD EASMT	0.002 ACRES		

PARCEL 140 RIVER NORTH REQ'D TEMP. EASMT., 'B'

PNT	OFFSET	STATION	ALIGNMENT
KC4	174.00 R	11+00.00	MAINLINE
KC3	168.00 R	11+45.00	MAINLINE
KC51	103.00 R	11+80.00	MAINLINE
KC49	102.00 R	11+49.00	MAINLINE
KC48	101.00 R	11+57.00	MAINLINE
KC21	119.00 R	11+60.00	MAINLINE
KC6	185.00 R	11+72.00	MAINLINE
KC5	194.00 R	11+62.00	MAINLINE
KC4	174.00 R	11+00.00	MAINLINE
REDD EASMT AREA	2551.13 SF		

PARCEL 140 RIVER NORTH REQ'D TEMP. EASMT., 'A'

PNT	OFFSET	STATION	ALIGNMENT
KC35	65.00 R	10+84.00	MAINLINE
KC37	25.00 R	10+81.00	MAINLINE
KC39	25.00 R	11+41.00	MAINLINE
KC42	65.00 R	11+44.00	MAINLINE
KC35	65.00 R	10+84.00	MAINLINE
REDD EASMT AREA	2309.06 SF		

PROPERTY AND EXISTING R/W LINE
 REQUIRED R/W LINE
 CONSTRUCTION LIMITS
 EASEMENT FOR CONSTR
 & MAINTENANCE OF SLOPES
 EASEMENT FOR CONSTR OF SLOPES
 EASEMENT FOR CONSTR OF DRIVES

PLANS PREPARED AND SUBMITTED BY:

 AMERICAN ENGINEERS, INC.
 1111 N. W. 11th St., Ft. Lauderdale, FL 33304
 (954) 561-1111



REVISION DATES

NO.	DATE	DESCRIPTION

CITY OF SANDY SPRINGS
 PUBLIC WORKS
RIGHT-OF-WAY PLANS
 RIVER NORTH DRIVE
 DRAINAGE IMPROVEMENT