



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 (8845 North River Parkway)

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:  APPROVED

PLACED ON AGENDA FOR: 9/11/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



TO: John McDonough, City Manager

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

DATE: August 24, 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 367 of the 6th District, Fulton County, Georgia. The property as shown in the attached exhibit is owned by the property owner, David A. Evans; property located at 8845 North River Parkway, Sandy Springs, Georgia. The easement area consists of 3,385.00 square feet of Permanent Drainage Easement and 2,624.00 square feet of Temporary Construction Easement.

Background:

The acquisition of the Permanent Drainage and Temporary Construction Easement across the Evans property is necessary in order to construct a properly functioning storm drainage system that will alleviate flooding of North River Parkway.

Discussion:

N/A

Alternatives:

The City could elect to forego the repairs to the non-functional system on North River Parkway, but would likely be responsible for property damages when flooding occurred.

Financial Impact:

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

Attachments:

- I. Resolution
- II. Exhibits
 - Aerial and GIS Maps
 - Executed Permanent Drainage and Temporary Construction Easement
 - Plat and Legal Description

*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 367 OF THE 6th
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 8845 North River Parkway, from David A. Evans, located on Land Lot 367 of the 6th 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 of a non-functioning stormwater drainage system on North River Parkway, the City approves the acceptance of the Permanent Drainage and Temporary Construction Easement located on Land Lot 367 of the 6th District, City of Sandy Springs, Fulton County, Georgia.

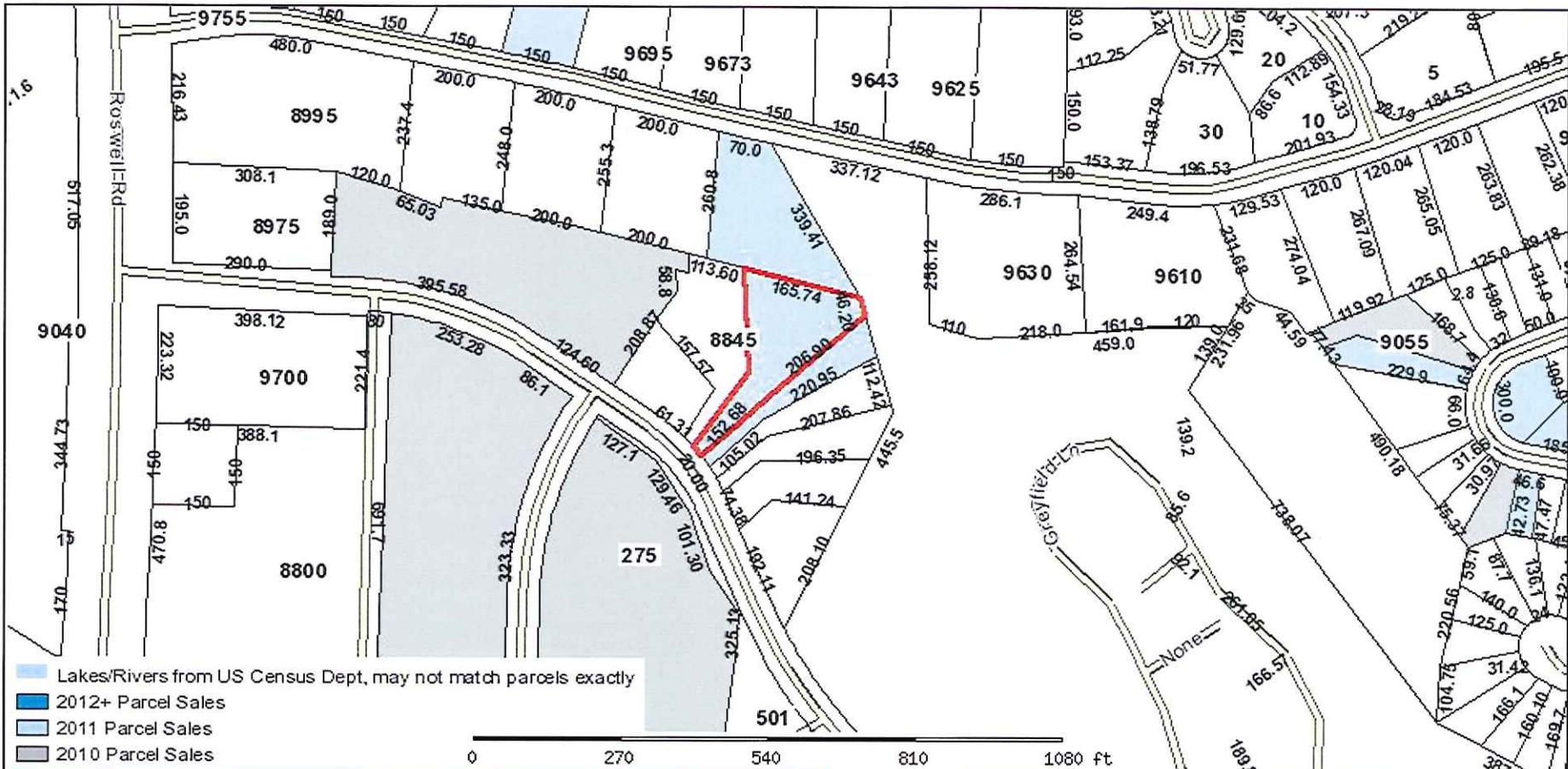
RESOLVED this 11th day of September, 2012.

APPROVED:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)



Permanent Drainage and Temporary Construction Easement; 8845 North River Parkway; David A. Evans

Parcel: 06 036700050033 Acres: 0			
Name:	DAVID ANDREW EVANS REVOCABLE LIVING	Land Value	\$ 37,600
Site:	8845 NORTH RIVER PKWY 3	Building Value	\$ 98,700
Sale:	0 on 2011-07-12 Reason=U Qual=G	Misc Value	0
Mail:	8845 N RIVER PKWY	Total Value:	\$ 136,300
	SANDY SPRINGS, GA 30350		



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: 08/24/12 : 14:27:22

**PERMANENT DRAINAGE AND TEMPORARY CONSTRUCTION
EASEMENT**

**STATE OF GEORGIA
FULTON COUNTY**

THIS AGREEMENT is entered into the 21 day of August in the year of 2012, between David A. Evans 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 3,385 square foot Permanent Drainage Easement and a Temporary Construction Easement across the property of Grantor, located in Land Lot 367 of Land District 6 of Fulton County, GA, as is more particularly described on 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 Exhibits "A" and "B", 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 Exhibits "A" and "B", 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:

[Signature]
Witness

[Signature]
Notary Public



[Signature] (L.S.)
David A. Evans

(L.S.)

EXHIBIT "A"

Legal Description - Drainage Easement
Parcel ID# - 06-0367-0005-003-3
David A. Evans

All that tract or parcel of land lying in Land Lot 367, 6th District, within the limits of the City of Sandy Springs, Fulton County, Georgia, and being more particularly described as follows:

To find the Point of Commencement, begin at the intersection of the southern right-of-way of North River Parkway (50' right-of-way) and the western right-of-way of Winding River Drive (50' right-of-way). Leaving said rights-of-way travel North 59 degrees 14 minutes 18 seconds East a distance of 383.12 feet to a point, said point being the POINT OF BEGINNING.

From the POINT OF BEGINNING, as thus established, North 08 degrees 14 minutes 53 seconds East a distance of 20.08 feet to a point;
THENCE South 76 degrees 32 minutes 24 seconds East a distance of 166.06 feet to a point;
THENCE South 09 degrees 02 minutes 39 seconds East a distance of 21.65 feet to a point;
THENCE North 76 degrees 32 minutes 24 seconds West a distance of 172.53 feet to a point, said point being the POINT OF BEGINNING.

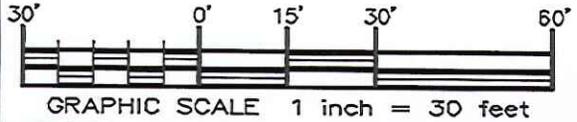
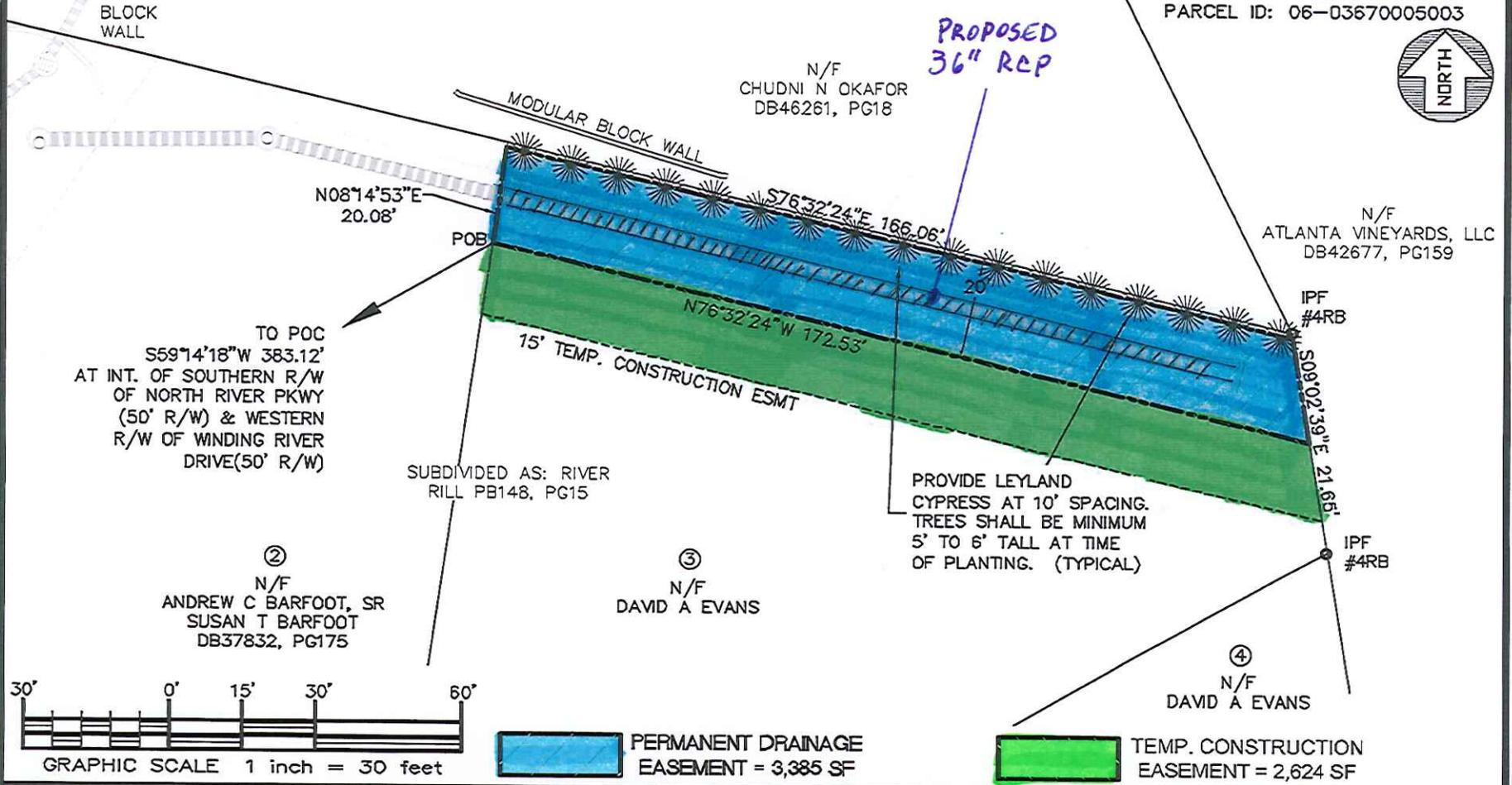
Said tract containing **3,385 square feet (0.08 acres)** and being shown on and described according to that certain plat of survey titled, "Drainage Easement Exhibit for 8845 North River Parkway 3", as prepared by SEI, dated March 29, 2012, and bearing the seal of Chris Amos Adams, Ga. RLS # 2796, said plat being made part of this legal description by reference.

Grantor also agrees to grant the City rights to a Temporary Construction Easement. Said easement is more particularly shown on Exhibit "B" and hereby incorporated by reference. Said easement will expire upon completion and acceptance of the project by the City of Sandy Springs Public Works Department.

PF
RB

Exhibit B

LOT 3 OF RIVER RILL SUBDIVISION
LAND LOT 367, 6TH DISTRICT
8845 NORTH RIVER PKWY 3
SANDY SPRINGS, GA. 30328
PARCEL ID: 06-03670005003



PERMANENT DRAINAGE EASEMENT = 3,385 SF

TEMP. CONSTRUCTION EASEMENT = 2,624 SF

SOUTHEASTERN ENGINEERING, INC.
2470 Sandy Plains Road Marietta, Georgia 30066
tel: 770-321-3936 Fax: 770-321-3933
www.seengineering.com

GENERAL NOTES

1. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
2. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. AN OPENED END TRAVERSE WAS USED TO GATHER FIELD DATA.



DRAINAGE EASEMENT EXHIBIT FOR:
CITY OF SANDY SPRINGS
PROPERTY OF: DAVID A. EVANS
LAND LOT 367 OF THE 6TH DISTRICT,
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA

SCALE: 1" = 30'
DATE: 06-04-12

JOB No.—
556-11-028