



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: May 30, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: Consideration of the Acceptance of the Donation of a Permanent Drainage and Temporary Construction Easement

MEETING DATE: For Submission onto the June 5, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Resolution
Exhibits

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 6/5/2012

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: May 10, 2012, for Submission onto the Consent Agenda of the June 5, 2012 City Council Meeting

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

Public Works Department's Recommendation:

Staff recommends that the Mayor and City Council accept the donation of a 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 being donated by the property owners, Andrew C. Barfoot, Sr. and Susan T. Barfoot. The donation totals 1,659.00 square feet of Permanent Drainage Easement and a Temporary Construction Easement and is being donated so that repairs and maintenance can be performed on the storm drainage infrastructure along North River Parkway near 8845 North River Parkway.

Background:

The existing storm drainage pipe under North River Pkwy is in need of repair. Flooding likely will occur if the problem is not resolved. Public safety would likely be jeopardized if flooding occurs.

Discussion:

N/A

Alternatives:

N/A

Financial Impact:

None at this time; property owner donated necessary easements.

Attachments:

- I. Resolution
- II. Exhibits
 - Aerial Map
 - GIS Map
 - Right of Way Deed
 - Plats
 - Legal Description

*Public
Works*

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DONATION OF A 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 donation of a Permanent Drainage and Temporary Construction Easement by the City of Sandy Springs for the property located at 8845 North River Parkway, Unit #2, from Andrew C. Barfoot, Sr. and Susan T. Barfoot, 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 and maintenance of stormwater drainage infrastructure underneath North River Parkway, the City approves the acceptance of the donation of a Permanent Drainage and Temporary Construction Easement located on Land Lot 367 of the 6th District, City of Sandy Springs, Fulton County, Georgia.

RESOLVED this 5th day of June, 2012.

APPROVED:

Eva Galambos, Mayor

Attest:

Michael Casey, City Clerk
(Seal)

**PERMANENT DRAINAGE AND TEMPORARY CONSTRUCTION
EASEMENT**

**STATE OF GEORGIA
FULTON COUNTY**

THIS AGREEMENT is entered into the 15TH day of MAY in the year of 2012, between Andrew C. Barfoot, Sr. and Susan T. Barfoot 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 1,659 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:



Witness



Andrew C. Barfoot, Sr. (L.S.)



Ann Fugate Wall
Notary Public
my commission expires





Susan T. Barfoot (L.S.)

EXHIBIT "A"

Legal Description - Drainage Easement
Parcel ID# - 06-0367-0005-002-5
Andrew C. and Susan T. Barfoot

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 49 degrees 30 minutes 42 seconds East a distance of 318.48 feet to a point, said point being the POINT OF BEGINNING.

From the POINT OF BEGINNING, as thus established, travel North 34 degrees 05 minutes 50 seconds East a distance of 24.38 feet to a point;
THENCE North 89 degrees 12 minutes 59 seconds East a distance of 28.02 feet to a point;
THENCE South 76 degrees 32 minutes 24 seconds East a distance of 49.55 feet to a point;
THENCE South 08 degrees 14 minutes 53 seconds West a distance of 20.08 feet to a point;
THENCE North 76 degrees 32 minutes 24 seconds West a distance of 48.87 feet to a point;
THENCE South 89 degrees 12 minutes 59 seconds West a distance of 39.47 feet to a point, said point being the POINT OF BEGINNING.

Said tract containing 1,659 square feet (0.04 acres) and being shown on and described according to that certain plat of survey titled, "Drainage Easement Exhibit for 8845 North River Parkway 2", 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.

LOT 2 OF RIVER RILL SUBDIVISION
 LAND LOT 367, 6TH DISTRICT
 8845 NORTH RIVER PKWY 2
 SANDY SPRINGS, GA. 30328
 PARCEL ID: 06-03670005002

N/F
 LEFKO PROPERTIES, LLC
 WINDING RIVER VILLAGE
 CPB7, PG60

N/F
 CHUDNI N OKAFOR
 DB46261, PG18

TO POC
 S49°30'42"W 318.48'
 AT INT. OF SOUTHERN R/W
 OF NORTH RIVER PKWY
 (50' R/W) & WESTERN
 R/W OF WINDING RIVER
 DRIVE(50' R/W)

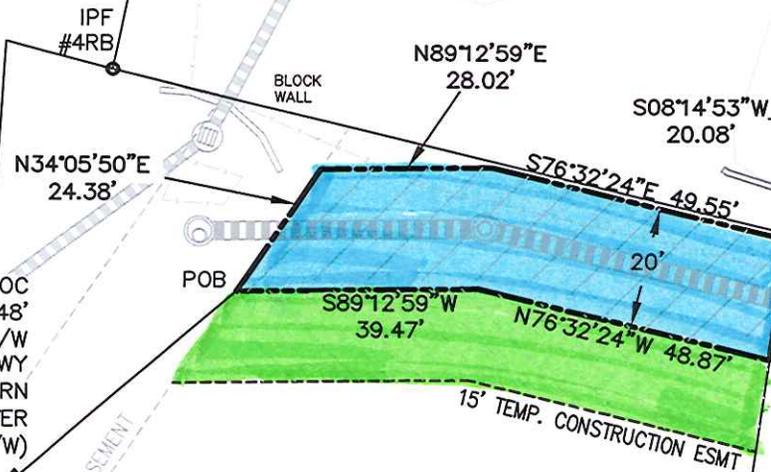


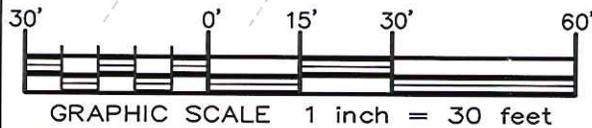
Exhibit B

②
 N/F
 ANDREW C BARFOOT, SR
 SUSAN T BARFOOT
 DB37832, PG175

SUBDIVIDED AS:
 RIVER RILL
 PB148, PG15

③
 N/F
 DAVID A EVANS

EASEMENT AREA = 1,659 SF



PERMANENT DRAINAGE EASEMENT



TEMP. CONSTRUCTION EASEMENT

SOUTHEASTERN ENGINEERING, INC.
 2470 Sandy Plains Road Marietta, Georgia 30066
 tel: 770-321-3936 fax: 770-321-3935
 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: ANDREW C. BARFOOT, SR. & SUSAN T. BARFOOT
 LAND LOT 367 OF THE 6TH DISTRICT,
 CITY OF SANDY SPRINGS
 FULTON COUNTY, GEORGIA

SCALE: 1" = 30'
 DATE: 03-27-12

JOB No. -
 556-11-028

8845 North River Parkway PDE and TCE

Andrew C. Barfoot, Sr. and Susan T. Barfoot



Map Printed On {2012-05-10 15:41}

Legend

- Base Map
- City Limit
- City Hall
- Private School
- Major Road
- City Street
 - Public Street
 - Private Street
 - Private Drive
- Sandy Spring 2010 Address Point
- Building Footprint
- City Plats/Parcel
- Fc parcel digest 2010 (w/o label)
- Fc parcel digest 2010
- Park
- Aerial 2010
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

This map has been compiled from the most accurate source data from Fulton County and the City of Sandy Springs. This map is for informational purposes only and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For inquiries please contact the City of Sandy Springs.

