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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** March 23, 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 April 3, 2012, City Council Regular Meeting Agenda

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**BACKGROUND INFORMATION:** (Attach additional pages if necessary)

See attached:

Memorandum  
Resolution  
Exhibits

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**APPROVAL BY CITY MANAGER:**                     JMM                     APPROVED

\_\_\_\_\_ NOT APPROVED

**PLACED ON AGENDA FOR:**           4/3/12          

**CITY ATTORNEY APPROVAL REQUIRED:** (  ) YES (  ) NO

**CITY ATTORNEY APPROVAL:**                     [Signature]                    

**REMARKS:**



TO: John McDonough, City Manager

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

DATE: March 16, 2012, for Submission onto the Consent Agenda of the April 3, 2012 City Council Meeting

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

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***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 93 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibit is being donated by the property owner, Sarah C. Bartlett. The donation totals 669.00 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 pipe under West Belle Isle Road near 11 West Belle Isle Road.

***Background:***

The existing storm drainage pipe under West Belle Isle Road is in need of repair and restoration. Property damage and flooding likely will occur if this storm drainage pipe collapses. The proposed construction will correct the problem.

***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 93 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 donation of a Permanent Drainage and Temporary Construction Easement by the City of Sandy Springs for the property located at 11 West Belle Isle Road, from Sarah C. Bartlett, located on Land Lot 93 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 culvert underneath West Belle Isle Road, the City approves the acceptance of the donation of a Permanent Drainage and Temporary Construction Easement located on Land Lot 93 of the 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia.

**RESOLVED** this 3<sup>rd</sup> day of April, 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 14<sup>th</sup> day of March in the year of 2012, between SARAH C. BARTLETT 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 669.00 square foot Permanent Drainage Easement and a Temporary Construction Easement across the property of Grantor, located in Land Lot 93 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 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.)  
SARAH C. BARTLETT

\_\_\_\_\_ (L.S.)

Exhibit A

SARAH C. BARTLETT

Permanent Drainage Easement

Tax Parcel # 17009300021487

A tract of land situated in Land Lot 93, 17th District, City of Sandy Springs, Fulton County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Commence at a 1/2" crimp top pipe at the intersection of the easterly right-of-way of Lake Forrest Drive (Variable R/W) and the southwesterly corner of property now or formerly owned by Richard Bulter, said 1/2" crimp top pipe having state plane coordinates of North 1415202.42 and East 2229666.77; thence northerly along the easterly right-of-way of Lake Forrest Drive N00°42'36"E for a distance of 130.00 feet to the intersection of the easterly right-of-way of Lake Forrest Drive (Variable R/W) and the southerly right-of-way of West Belle Isle Road (Variable R/W); thence easterly along the southerly right-of-way of West Belle Isle Road S89°29'41"E for a distance of 119.60 feet to the intersection of said southerly right-of-way and the westerly permanent drainage easement line the Point of Beginning; thence continuing along said southerly right-of-way line S89°29'41"E for a distance of 20.72 feet to the intersection of said southerly right-of-way and the easterly permanent drainage easement line; thence leaving said southerly right-of-way line and along the easterly permanent drainage easement line S14°38'47"E for a distance of 11.20 feet; thence continuing along said permanent drainage easement line, S16°00'58"E for a distance of 19.29 feet to the intersection of said easterly permanent drainage easement line and the southerly permanent drainage easement line; thence along the southerly permanent drainage easement line, S73°59'02"W for a distance of 20.00 feet to the intersection of the southerly permanent drainage easement line with the westerly permanent drainage easement line; thence along said westerly permanent drainage easement line, N16°00'58"W for a distance of 19.53 feet; thence continuing along said westerly permanent drainage easement line, N14°38'47"W for a distance of 16.86 feet to the intersection of said westerly permanent drainage easement line and the southerly right-of-way of West Belle Isle Road (Variable R/W) the Point of Beginning of said tract.

Containing 0.02 acres or 669 square feet being more specifically shown on a Permanent Drainage Easement Survey for the City of Sandy Springs by Ross Consulting Engineers, P.C., dated: December 21, 2011, last revised: January 25, 2012 (Job No. 11058) unto which reference is hereby made.

