SANDY SPRINGS
GEORGIA

# CITY COUNCIL AGENDA ITEM

**TO:** Mayor & City Council **DATE:** March 22, 2011

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Acceptance of a Temporary Construction Easement and a Temporary Driveway Easement for the FY 11 Sidewalk Program- High Point Road from Windsor Parkway to Glenridge Parkway – T-6011-1- Parcel 3

**MEETING DATE:** For Submission onto the April 5, 2011, City Council Regular Meeting Agenda

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

See attached:

Memorandum
Resolution
Maps
Easement and Plat

*APPROVAL BY CITY MANAGER:* JM *APPROVED*

_____ *NOT APPROVED*

*PLACED ON AGENDA FOR:* 4/5/2011

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

*CITY ATTORNEY APPROVAL:* _____

*REMARKS:*

SANDY SPRINGS
GEORGIA

TO: John McDonough, City Manager

FROM: Tom Black, Public Works Director

DATE: March 22, 2011 for Submission onto the Consent Agenda of the April 5, 2011 City Council Meeting

ITEM: Acceptance of a Temporary Construction Easement and a Temporary Driveway Easement for the FY 11 Sidewalk Program- High Point Road from Windsor Parkway to Glenridge Parkway – T-6011-1- Parcel 3

.

### *Public Works Department's Recommendation:*

Staff recommends that the Mayor and City Council accept the Temporary Construction Easement and a Temporary Driveway Easement for 4845 Highpoint Road, FY 11 Sidewalk Program- High Point Road from Windsor Parkway to Glenridge Parkway – T-6011-1- Parcel 3. The Temporary Construction Easement is being donated by Julian N. Najm.

### *Background:*

The property is located in Land Lot 41 of the 17th District, Fulton County, Georgia. The donation allows a right of entry upon the donor's property for the purpose of constructing slopes, fills and embankments and performing such other construction activities as necessary in order to support sidewalk construction improvements.

### *Discussion:*

The attached exhibits include a site map showing the location and area of the Temporary Construction Easement and the Temporary Driveway Easement and a plat showing the location of the property. This work is being done with as little inconvenience to the property owner as possible.

### *Alternatives:*

The Council could decide accept these easements and not construct these streetscape improvements.

### *Financial Impact:*

The property is being donated so there is no acquisition cost to the City.

### *Attachments:*

I. Resolution
II. Aerial map of site
III. GIS map of site
IV. Copy of Temporary Construction Easement
V. Plat

Public Works

**RESOLUTION NO. _____**

**STATE OF GEORGIA**
**COUNTY OF FULTON**

**A RESOLUTION TO ACCEPT RIGHT-OF-WAY ON PROPERTIES LOCATED IN LAND LOTS 41 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 by the City of Sandy Springs of a Temporary Construction Easement and a Temporary Driveway Easementfor 4945 Highpoint Road, Parcel 3, located in Land Lot 41 of the 17th District, City of Sandy Springs, Fulton County, Georgia for Project Number 6011-1, Highpoint Road Sidewalk Improvement Project from Windsor Parkway to Glenridge Parkway.

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

To facilitate the Highpoint Road Sidewalk Improvement Project, from Windsor Parkway to Glenridge Parkway, the City approves the acceptance of a Temporary Construction Easement and a Temporary Driveway Easement located in Land Lot 41 of the 17th District, City of Sandy Springs, Fulton County, Georgia.

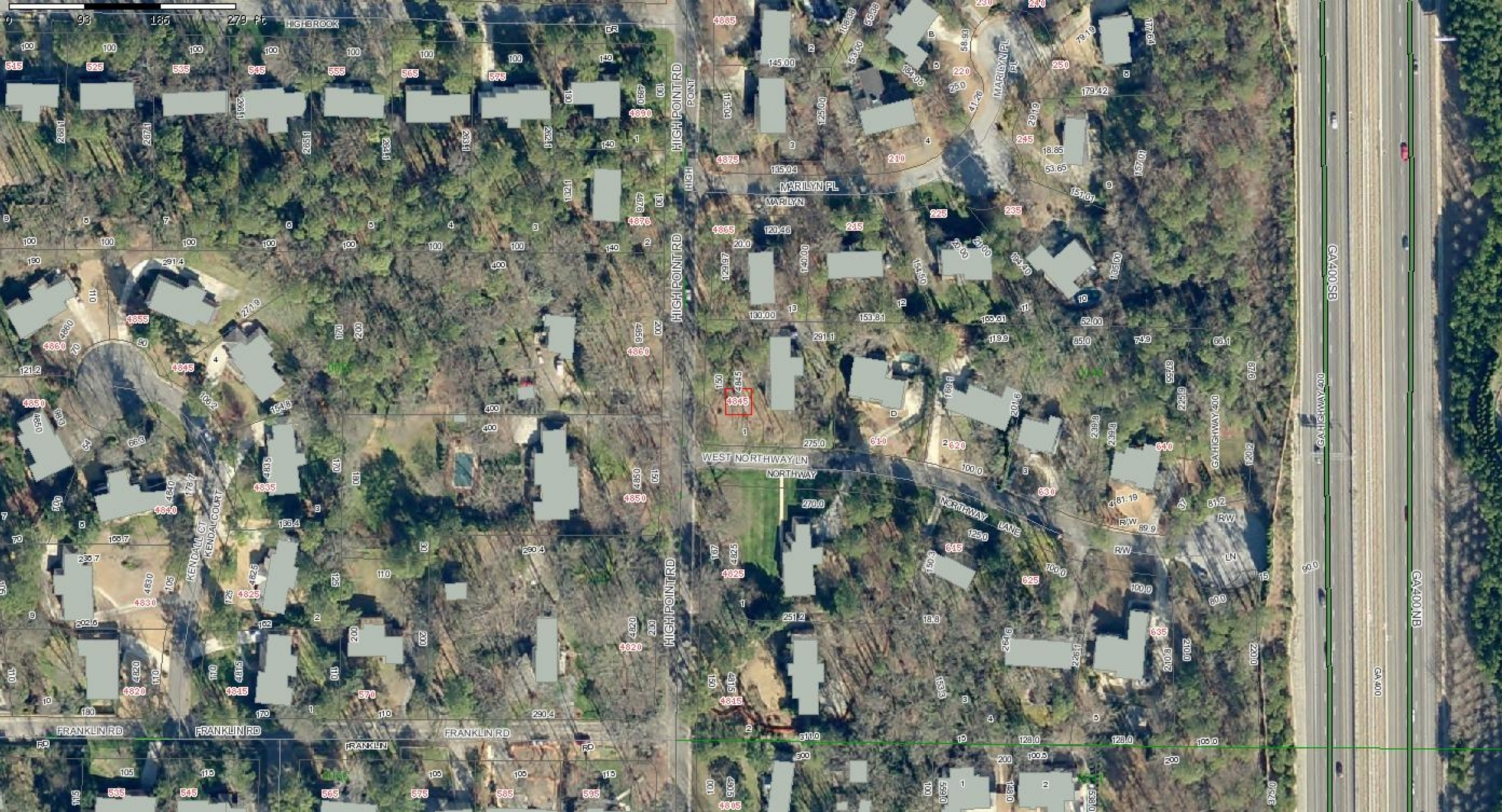
**RESOLVED** this the 5th day of April 2011.

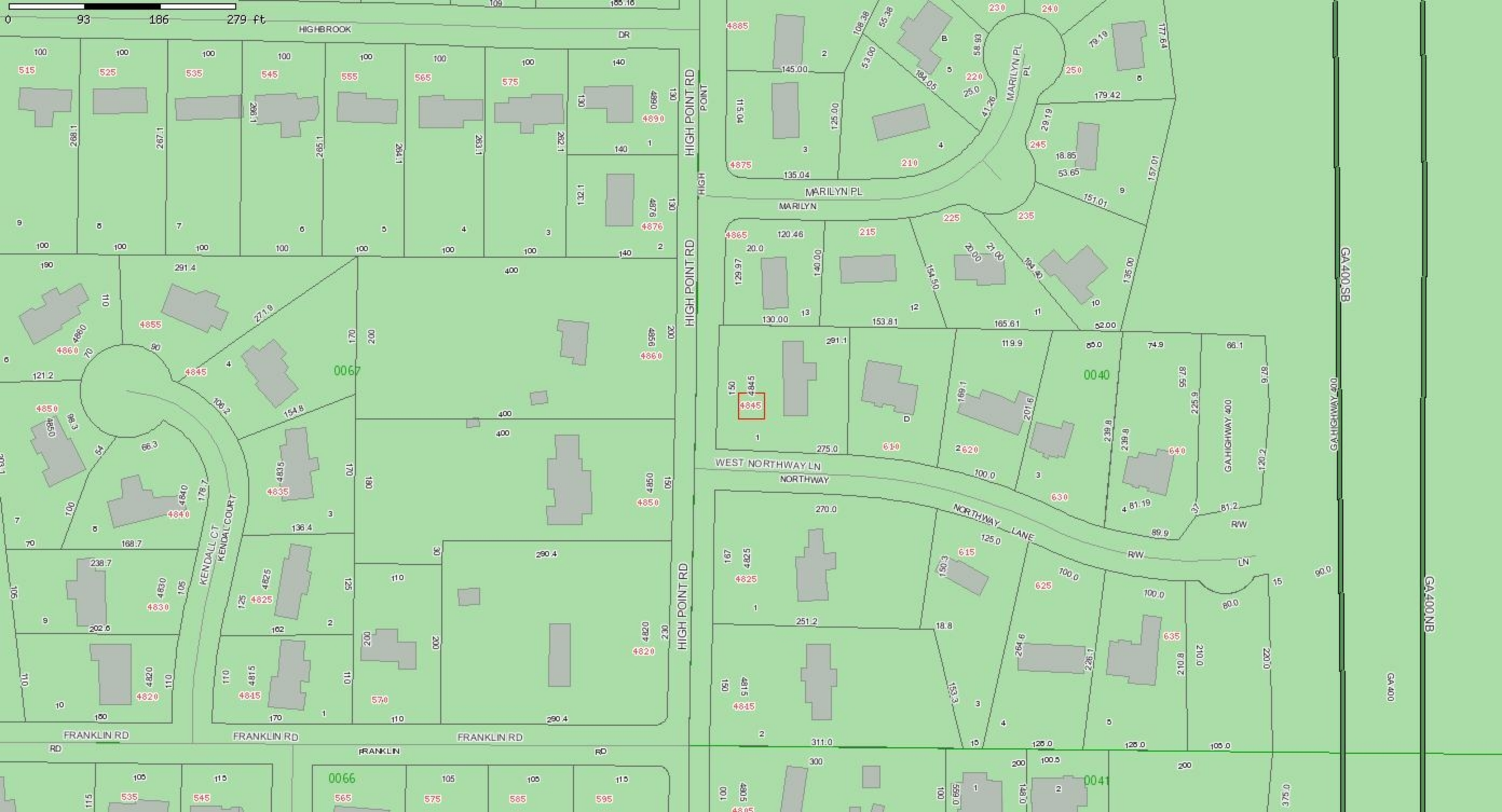
Approved:

_____
Eva Galambos, Mayor

Attest:

_____
Michael Casey, City Clerk
(Seal)


0 93 186 279 ft
HIGHBROOK
HIGH POINT RD
MARILYN PL
MARILYN
WEST NORTHWAY LN
NORTHWAY
NORTHWAY LANE
KENDALL CT
KENDAL COURT
FRANKLIN RD
GA400 SB
GA400 NB
GA HIGHWAY 400
GA 400


0 93 186 279 ft
HIGHBROOK DR
HIGH POINT RD
HIGH POINT
MARILYN PL
MARILYN
WEST NORTHWAY LN
NORTHWAY
NORTHWAY LANE
KENDALL CT
KENDAL COURT
FRANKLIN RD
FRANKLIN
GA HIGHWAY 400
GA400 SB
GA400 NB
GA400
0067
0066
0040
0041
4845

## TEMPORARY CONSTRUCTION EASEMENT

STATE OF GEORGIA
CITY OF SANDY SPRINGS

THIS EASEMENT, granted this 10 day of March, 2011 between **JULIAN N. NAJM,** Party of the first part, hereinafter referred to as Grantor, and Sandy Springs, a Municipality of the State of Georgia, as party of the second part, hereinafter referred to as the Grantee.

WITNESSETH:

That Grantor, or and in consideration of the sum of One Dollar ($1.00) in hand paid in and before the sealing and delivery of these presents, and by these presents, grant unto the Grantee an Easement over, under, upon and across the following property located at 4845 Highpoint Road, Sandy Springs, Georgia, in Land Lot 41 of the 17th District which is shown on the attached plat known as Exhibit "A".

The purpose of this Easement is to allow Grantee, or its agents, the right of entry upon the above described property for the purpose of removing and resetting an existing sign and performing such other construction activities as necessary in order to support improvements on the roadway as more fully reflected on the Exhibit "A" attached hereto and made a part hereof. Said Easement is to expire upon completion of the project.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Easement, the date and year written above.

Signed, Sealed and Delivered
In the Presence of:

Witness

Notary Public

LISA K GASS
MY COMMISSION EXPIRES
APR
7
2012
COBB CO., GEORGIA
NOTARY PUBLIC

JULIAN N. NAJM

Parcel 3

Cement Driveway

SANDY SPRINGS
GEORGIA

**TEMPORARY DRIVEWAY EASEMENT**

THIS CONVEYANCE made and executed the 10 day of March, 2011.

WHEREAS, the CITY OF SANDY SPRINGS, GEORGIA, desires to construct a project known as the - **FY 10-237 NORTH SIDEWALK PROGRAM T-6011-1 HIGH POINT ROAD FROM WINDSOR PARKWAY TO GLENRIDGE PARKWAY.** NOW, THEREFORE, in consideration of the benefit to my property by the construction of a driveway, I **JULIAN N. NAJM**, do hereby grant to the CITY OF SANDY SPRINGS the right to enter upon my land for the purpose of reconnecting driveways within the driveway easement areas on the attached plat, shown as Exhibit "A".

This easement becomes effective at the beginning of construction of the above project and will expire upon completion and final acceptance of said project by the City of Sandy Springs. All driveways will be replaced in kind, and all construction related repairs will be the responsibility of the City of Sandy Springs.

In Witness whereof, I have hereunto set my hand and seal the day above written

Lauren King
Unofficial Witness

Julian N. NAJM
JULIAN N. NAJM

Lisa K Gass
Notary Public

(Seal)

LISA K GASS
MY COMMISSION EXPIRES
APR 7 2012
COBB CO., GEORGIA
NOTARY PUBLIC

Cement Driveway