

DATE: *July 31, 2019*
TO: Mayor and City Council
FROM: Assistant City Manager *[Signature]*
SUBJECT: Easement Request
Gwinnett Department of Water Resources



RECOMMENDED ACTION

Approve and authorize the Mayor to sign the required easements in the Parkview Mine Subdivision for the purpose of decommissioning the pump station in the neighborhood.

The County is initiating upgrades to sewer system elements, decommissioning pump stations, reducing maintenance costs and concerns in the Level Creek sewershed. They have requested a temporary easement and clarification of an existing easement line in the subdivision to accomplish the decommissioning scope of work and allow for maintenance of the gravity line in the future. Staff will coordinate with the county to provide for the restoration of the area once construction is complete and is recommending approval.

Attachment
Easement
Exhibit

Return To: Department of Support Services
Real Estate and Records Division
Attention: Tom Davidson
Project: Parkview/Pinecrest Sewer Extension

PERMANENT EASEMENT and
TEMPORARY CONSTRUCTION EASEMENT

STATE OF GEORGIA
COUNTY OF GWINNETT

THIS INDENTURE, made this _____ day of _____ 2019, between the **CITY OF SUGAR HILL**, a Municipal Corporation, duly chartered under the laws of the State of Georgia, located in Gwinnett County, Georgia, hereinafter referred to as party of the first part, and **GWINNETT COUNTY WATER AND SEWERAGE AUTHORITY**, a political subdivision of the State of Georgia, hereinafter referred to as the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, an easement for the purpose of locating, constructing, maintaining, repairing, replacing and relocating within same, sanitary sewer and/or water lines and their appurtenances. Said easement being described as to size in Exhibit "A". Said Exhibit shall be considered the legally controlling description of this conveyance. The party of the second part shall have access to said easement for the purposes previously stated.

The said easement being more particularly defined as a portion of that property in Land Lot **290** of the **7th** Land District, being described as tax parcel **7290 215** of Gwinnett County, Georgia, for sanitary sewer and/or water lines as shown on the attached plat labeled as Exhibit "A", prepared by **Precision Planning Inc.** and dated **11/19/2018** which by reference is incorporated herein and made a part hereof.

In addition hereto, party of the first part grants and conveys to party of the second part, a non-exclusive temporary construction easement being described as to dimensions in Exhibit "A" and provided further that all rights in and to said temporary construction easement shall begin upon commencement of construction activity and shall terminate twenty four months later. The permanent easement area will be cleared of all trees and other vegetation by the party of the second part. The temporary construction easement will be cleared of such trees and other vegetation by the party of the second part as the contractor deems necessary for the construction of the line.

The party of the first part does hereby covenant with party of the second part that it is the owner of record and is lawfully seized and possessed of the property above described, and has a good and lawful right to convey said property, or any part thereof, and is free from all encumbrances, and that it will forever warrant and defend title thereto against the lawful claims of all persons whomsoever.

The party of the first part further covenants that no buildings or permanent structures will be constructed upon, over or across the easement described herein.

The party of the first part also covenants that no changes will be made to the surface within the easement areas during construction without the prior permission of the party of the second part.

TO HAVE AND TO HOLD, the said easement unto the party of the second part, its successors and/or assigns.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and affixed his seal, the day and year first above written.

Signed, sealed, and delivered on this
_____ day of _____, 2019
In the presence of:

**CITY OF SUGAR HILL
A MUNICIPAL CORPORATION**

_____ **By:**

Unofficial Witness

_____ *Signature*

_____ *Printed Name*

Title

_____ **Attest:**

Notary Public

_____ *Signature*

_____ *Printed Name*

Title

LEGAL DESCRIPTION
20' PERMANENT UTILITY EASEMENT
Parcel # 7290 215
CITY OF SUGAR HILL

All that tract or parcel of land lying and being in Land Lot 290 of the 7th Land District, City of Sugar Hill, Gwinnett County, Georgia and being more particularly described as follows:

To find the **POINT OF COMMENCEMENT** begin at an 1" x 3/4" steel bar found at the Land Lot Corner common to Land Lots 272, 273, 290 & 291; THENCE leaving said Land Lot Corner, South 60 degrees 25 minute 12 seconds West for a distance of 2,965.90 feet to a Point on the Westerly Right-of-Way of Gold Mine Drive (50' Right-of-Way), said Point being **THE POINT OF BEGINNING**.

THENCE from said point as thus established and continuing along said Right-of-Way along a curve to the left having a radius of 228.69 feet and arc length of 20.03 feet being subtended by a chord of South 27 degrees 30 minutes 43 seconds East for a distance of 20.02 feet to a Point; THENCE South 59 degrees 52 minutes 04 seconds West for a distance of 85.90 feet to a Point; THENCE North 36 degrees 22 minutes 52 seconds East for a distance of 50.18 feet to a Point; THENCE North 59 degrees 52 minutes 04 seconds East for a distance of 40.78 feet to a Point at the afore said Right-of-Way of Gold Mine Drive, said point being **THE POINT OF BEGINNING**.

Said property contains 0.029 Acres (1,264 Square Feet) as shown as Permanent Utility Easement on the Easement Plat for Gwinnett County Department of Water Resources-Parkview/Pinecrest Sewer Extension, prepared by Precision Planning, Inc. (Job# E15157), and dated 11/19/18.

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
(VARIABLE WIDTH)
Parcel # 7290 215
CITY OF SUGAR HILL**

All that tract or parcel of land lying and being in Land Lot 290 of the 7th Land District, City of Sugar Hill, Gwinnett County, Georgia and being more particularly described as follows:

To find the **POINT OF COMMENCEMENT** begin at an 1" x 3/4" steel bar found at the Land Lot Corner common to Land Lots 272, 273, 290 & 291; THENCE leaving said Land Lot Corner, South 60 degrees 25 minute 12 seconds West for a distance of 2,965.90 feet to a Point on the Westerly Right-of-Way of Gold Mine Drive (50' Right-of-Way), said Point being **THE POINT OF BEGINNING**.

THENCE from said point as thus established and leaving said Right-of-Way, South 59 degrees 52 minutes 04 seconds West for a distance of 40.78 feet to a Point; THENCE South 36 degrees 22 minutes 52 seconds West for a distance of 50.18 feet to a Point; THENCE South 59 degrees 52 minutes 04 seconds West for a distance of 98.46 feet to a Point; THENCE North 05 degrees 46 minutes 38 seconds West for a distance of 9.52 feet to a Point; THENCE North 59 degrees 12 minutes 08 seconds East for a distance of 84.89 feet to a Point; THENCE North 01 degrees 35 minutes 14 seconds East for a distance of 12.79 feet to a Point; THENCE North 36 degrees 22 minutes 52 seconds East for a distance of 73.92 feet to a Point; THENCE North 59 degrees 52 minutes 04 seconds East for a distance of 26.65 feet to a Point on the afore said Right-of-Way of Gold Mine Drive; THENCE continuing along said Right-of-Way along a curve to the left having a radius of 228.69 feet and arc length of 30.39 feet being subtended by a chord of South 21 degrees 11 minutes 46 seconds East for a distance of 30.37 feet to a Point, said point being **THE POINT OF BEGINNING**.

Said property contains 0.073 Acres (3,169 Square Feet) as shown as Temporary Construction Easement on the Easement Plat for Gwinnett County Department of Water Resources-Parkview/Pinecrest Sewer Extension, prepared by Precision Planning, Inc. (Job# E15157), and dated 11/19/18.

NG PROPOSED

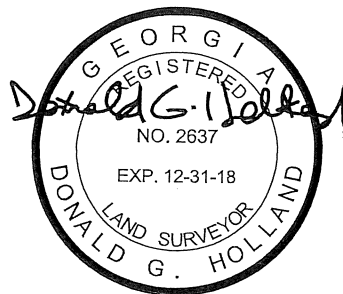
LEGEND

AREA SUMMARY CHART

CITY OF SUGAR HILL
PARCEL # 7290 215

PERMANENT UTILITY EASEMENT
= 0.029 AC. (1,264 S.F.)

TEMPORARY CONST. EASEMENT
= 0.073 AC. (3,169 S.F.)

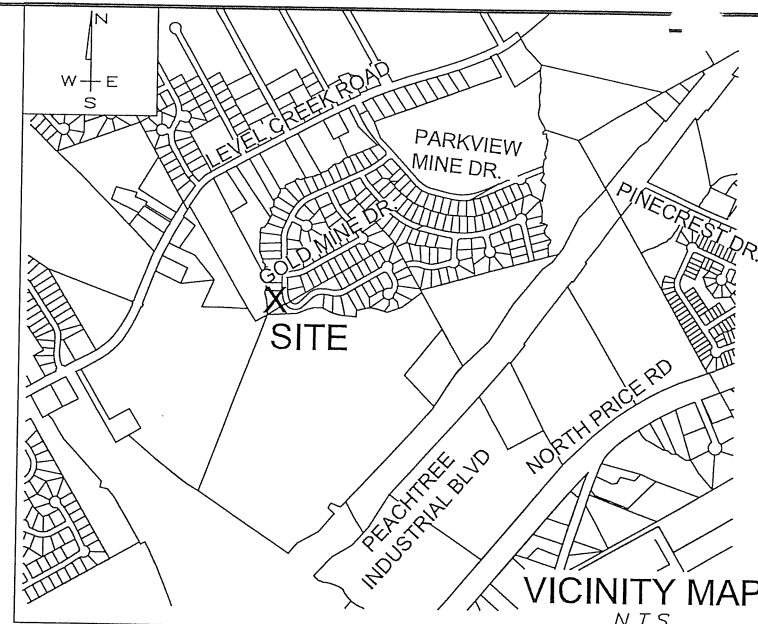


FIELD SURVEY:

THE FIELD SURVEY WAS COMPLETED ON 4/25/18.

EQUIPMENT USED:

A TRIMBLE S6 ROBOTIC TOTAL STATION & A CHAMPION TKO GNSS ROVER, CONNECTED TO THE eGPS GNSS REAL TIME NETWORK WAS USED TO OBTAIN THE LINEAR & ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.



VICINITY MAP
N.T.S.

PAGE SUMMARY:

- 1.) COVER SHEET/NOTES/AREA SUMMARY
- 2.) EASEMENT PLAT
- 3.) LINE TABLE

NOTES:

- 1.) ALL EASEMENT AREAS SHOWN INCLUDES ANY EXISTING EASEMENT AREA THAT MAY EXIST WITHIN THE RESPECTIVE AREA.
- 2.) NO BOUNDARY SURVEY PERFORMED BY PRECISION PLANNING, INC.
- 3.) THE TITLE RESEARCH PERFORMED IN THE PREPARATION OF THIS SURVEY IS LIMITED TO THE INFORMATION NECESSARY TO OUTLINE THE PROPERTY LINES OF THE SUBJECT PROPERTY AND THE ADJOINERS. THIS SURVEY DOES NOT CONSTITUTE A TITLE EXAMINATION; MATTERS OF RECORD WHICH AFFECT THE SUBJECT PROPERTY MAY NOT BE SHOWN HEREON.

PROJECT NAME: PARKVIEW/PINECREST SEWER EXTENSION
GWINNETT COUNTY PROJECT# F-1049-03
SHOWING THE PROPERTY OF: THE CITY OF SUGAR HILL PIN = 7290 215 - 4800 GOLD MINE DRIVE SUGAR HILL, GA 30518

USE OF THE PERSON(S) OR ENTITY NAMED IN THE NOT EXTEND TO ANY UNNAMED PERSON WITHOUT YOUR NAMING SAID PERSON. PURSUANT TO RULE REGISTRATION FOR PROFESSIONAL ENGINEERS AND CERTIFICATION RELATING TO LAND SURVEYING BASED ON FACTS AND KNOWLEDGE KNOWN TO THE WARRANTIES EITHER EXPRESSED OR IMPLIED. ESSENCE, SIZE, CHARACTER AND LOCATION OF STRUCTURES IS SHOWN HEREON. THERE IS NO WARRANTY AND IT SHALL BE CONSIDERED IN THAT THE LOCATION AND ARRANGEMENT OF STRUCTURES SHOWN HEREON MAY BE INACCURATE AND MAY BE ENCOUNTERED. THE OWNER, HIS CONTRACTORS SHALL HEREBY DISTINCTLY RESPONSIBLE FOR THE CORRECTNESS OR

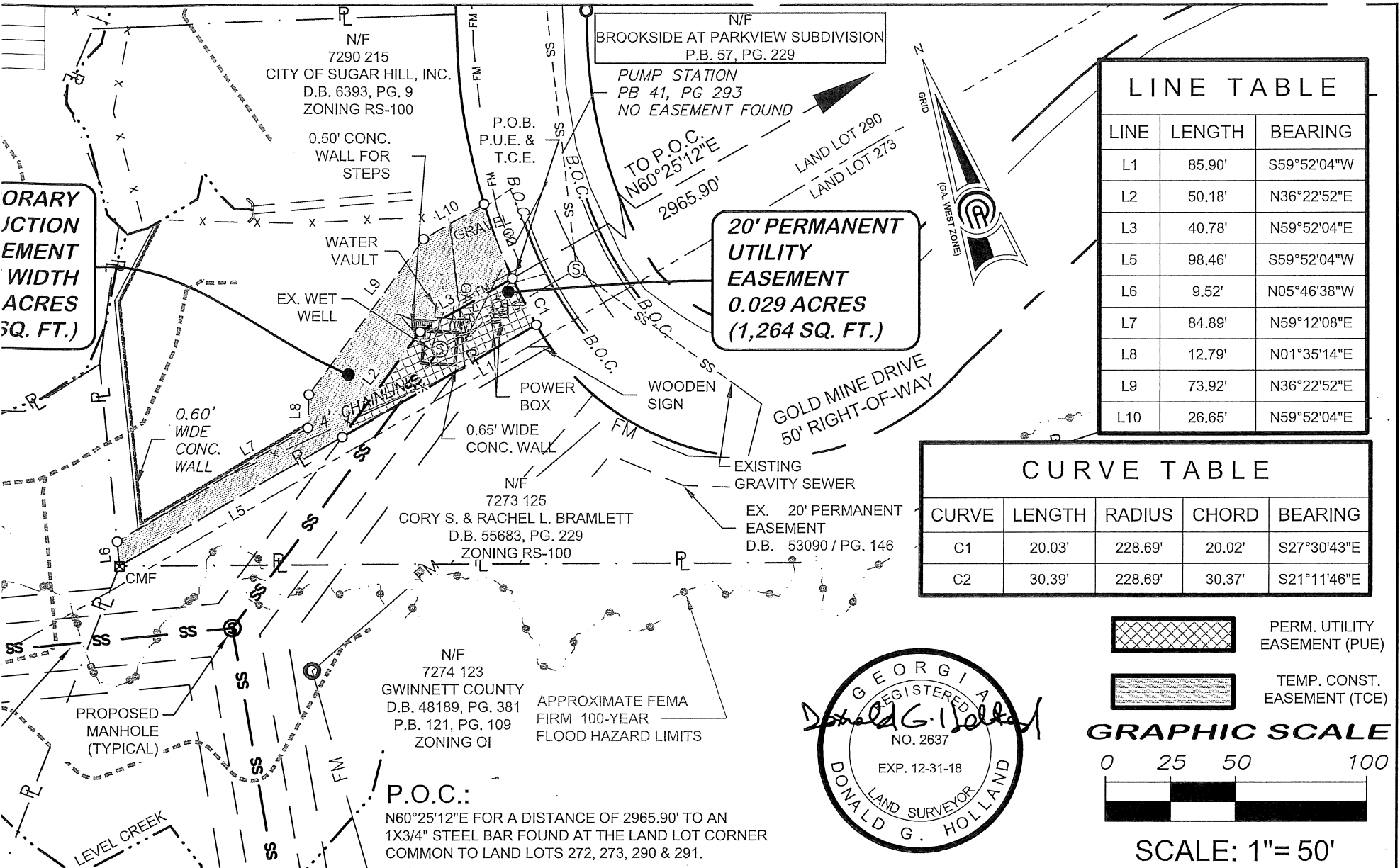
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



planners • engineers • architects • surveyors
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EASEMENT PLAT FOR:
GWINNETT COUNTY DEPARTMENT
OF WATER RESOURCES
PARKVIEW/PINECREST
SEWER EXTENSION

DRAWING
NUMBER
1 OF 2



LINE TABLE

LINE	LENGTH	BEARING
L1	85.90'	S59°52'04"W
L2	50.18'	N36°22'52"E
L3	40.78'	N59°52'04"E
L5	98.46'	S59°52'04"W
L6	9.52'	N05°46'38"W
L7	84.89'	N59°12'08"E
L8	12.79'	N01°35'14"E
L9	73.92'	N36°22'52"E
L10	26.65'	N59°52'04"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	20.03'	228.69'	20.02'	S27°30'43"E
C2	30.39'	228.69'	30.37'	S21°11'46"E

PERM. UTILITY EASEMENT (PUE)

TEMP. CONST. EASEMENT (TCE)



SCALE: 1" = 50'



PRECISION
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EASEMENT PLAT FOR:
GWINNETT COUNTY DEPARTMENT
OF WATER RESOURCES
PARKVIEW/PINECREST
SEWER EXTENSION

DRAWING
NUMBER
2 OF 2