

MEMORANDUM

To: Mayor and City Council

From: Brent Walker, Parks & Recreation Director

Date: May 22,2017

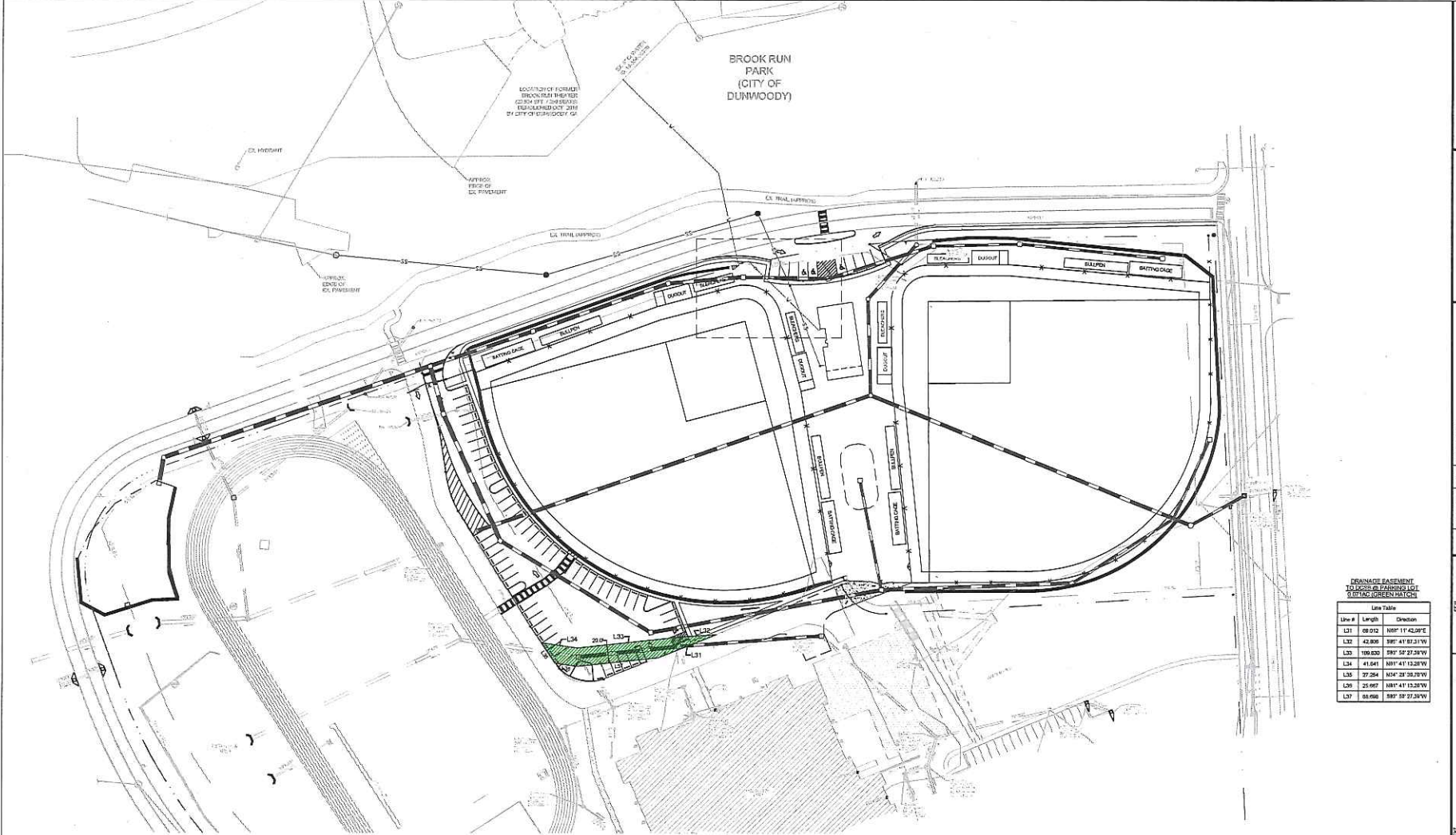
Subject: **Second Read: Permanent Easement Agreement for DeKalb County School District**

BACKGROUND

DeKalb County School District has requested a permanent easement on the City's property located at 4635 Barclay Drive for storm water drainage. The easement area requested is located in the southwest corner of the property purchased for the construction of the new baseball fields at Brook Run Park, as can be seen on the attached site map highlighted in green. The easement area shown is 3,103 square feet.

RECOMMENDATION

Staff recommends granting this easement to DeKalb County School District as it is necessary for the construction of the new baseball facilities at Brook Run Park.



UTILITY EASEMENT PLAN



NOTE:
 ALL PERMANENT EASEMENTS ARE SOLID SHADE.
 TEMPORARY EASEMENTS ARE HATCHED.

EASEMENT DIMENSIONS TO ADJACENT PROPERTY (DISTANCE/GREEN HATCH)

Line #	Length	Direction
L31	69.012	180° 17' 42.50\"W
L32	42.806	357° 47' 51.21\"W
L33	109.830	357° 57' 37.25\"W
L34	41.641	103° 41' 13.28\"W
L35	37.254	104° 31' 35.79\"W
L36	25.967	103° 41' 13.28\"W
L37	68.956	357° 57' 37.25\"W

PROJECT NO.	04-13-2017	MDC	PROJECT SET
DRAWING NO.	04-29-2017	MDC	FOUNDATION#1
CHECKED BY	05-02-2017	MDC	FOUNDATION CONTROL SUBMITTAL
DRAWN BY			
DATE			
SCALE			
PROJECT			

SKYLINE
ENGINEERING & CONSTRUCTION
 PHS12556E1 F 770.377.8300 www.skyline-es.com

Robert and Company
 1000 W. 5th St., Suite 200
 Oklahoma City, Oklahoma 73106
 (405) 942-2347 Fax (405) 942-2850

City of Dunwoody
 Baseball Facilities
 at Brook Run Park

UTILITY EASEMENT PLAN

PROJECT
UTILITY EASEMENT PLAN

DRAWING NO. **C-4.6**

SHEET **4**

DATE **04/12/2017**

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2017-XX-XX

AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO DEKALB COUNTY SCHOOL DISTRICT FOR THE PURPOSE OF STORMWATER DRAINAGE ACROSS PROPERTY WHERE BROOK RUN PARK BASEBALL FIELDS WILL BE CONSTRUCTED

WHEREAS, The City of Dunwoody and the DeKalb County Board of Education, as the governing body of the DeKalb County School District, entered into an Intergovernmental Agreement for the Purchase and Sale of Real Estate Dated November 15th, 2016 ("IGA");

WHEREAS, as a result of the land swap and real estate transactions completed by the parties pursuant to the IGA, the City of Dunwoody ("Grantor") now owns that piece of property located at 4635 Barclay Drive, where the Brook Run Park Baseball Fields are to be constructed, as described specifically in the Stormwater Drainage Easement Agreement attached hereto and incorporated herein by reference; and

WHEREAS, Dekalb County School District ("Grantee") owns property bordering the property where the Brook Run Park Baseball Fields will be constructed which was formerly part of the Peachtree Charter Middle School campus; and

WHEREAS, Grantee is in need of easements within the Brook Run Park Baseball Fields property for the purposes of conveying existing private storm water facilities; and

WHEREAS, Grantor agrees to maintain said easement as described in the Stormwater Drainage Line Easement Agreement.

NOW, IT IS HEREBY ORDAINED, by the Mayor and Council for the City of Dunwoody, that the Stormwater Drainage Line Easement Agreement as attached hereto and incorporated herein, is hereby approved and the Mayor, City Manager, and City Attorney are hereby authorized to execute all necessary documents therefor, to affect the granting of the storm water easement as described herein.

SO RESOLVED AND EFFECTIVE, this ____th day of _____, 2017.

Approved:

Denis L. Shortal, Mayor

Approved as to Form and Content

Attest:

Sharon Lowery, City Clerk

City Attorney

(Seal)

PROPERTY DESCRIPTION
Storm Drainage Easement

Permanent Easement

Being a strip or parcel of land running in, through, over and across the property now or formerly owned by City of Dunwoody, as described in a deed recorded among the Land Records of DeKalb County, Georgia in Deed Book 26047, Page 471 and as shown on an Easement Sketch prepared by TerraMark Land Surveying, Inc. and attached hereto, said strip or parcel lying and being in Land Lot 354, 18th District of DeKalb County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at a ½ inch rebar found at the intersection of the Westerly Right of Way Line of North Peachtree Road (an apparent 70 feet wide right of way) and the Southerly Right of Way Line of Barclay Drive (an apparent 60 feet wide right of way); thence, leaving the said point and running with the said line of Barclay Drive, South 89° 02' 00" West, 279.56 feet; thence, 366.81 feet along the arc of a curve deflecting to the left, having a radius of 1,115.93 feet and a chord bearing and distance of South 79° 37' 00" West, 365.16 feet; thence, South 70° 12' 00" West, 244.86 feet; thence, leaving the said line of Barclay Drive and running, South 16° 24' 42" East, 66.79 feet; thence, South 08° 51' 33" East, 44.92 feet; thence, 45.70 feet along the arc of a curve deflecting to the left, having a radius of 120.00 feet and a chord bearing and distance of South 17° 28' 30" East, 45.43 feet; thence, South 32° 03' 41" East, 150.30 feet; thence, South 34° 28' 37" East, 21.12 feet to the True Point of Beginning of the herein described strip or parcel of land; thence, leaving the said Point of Beginning and running

1. South 81° 41' 13" East, 41.64 feet; thence,
2. North 83° 50' 27" East, 109.83 feet; thence,
3. North 85° 41' 57" East, 42.81 feet; thence,
4. South 68° 11' 42" West, 69.01 feet; thence,
5. South 83° 50' 27" West, 88.70 feet; thence,
6. North 81° 41' 13" West, 25.67 feet; thence,
7. North 34° 28' 37" West, 27.25 feet to the Point of Beginning, containing 3,103 square feet or 0.0712 of an acre of land, more or less.

The permanent easement granted hereunder shall be perpetual.

Property is subject to all easements and rights of way recorded and unrecorded.