Cherokee County School District

Agenda Request Form

Meeting Date	Agenda Item Number
December 10, 2020	F-2

Title

Permanent Easement and Perpetual Right-of-Way to Cherokee County Government

Requested Action

School Board Consideration of Superintendent's Recommendation for Approval of a Permanent Easement and Perpetual Right-of-Way to Cherokee County Government

Summary Explanation and Background

Cherokee County Government officials approached Cherokee County School District (CCSD) staff with a request to grant a permanent easement and right-of-way for a sanitary sewer force main at Macedonia Elementary School.

This will allow Cherokee County to access and improve the water and sewage utilities for their Fire Station located adjacent to the school on East Cherokee Drive.

Priority Area

Organizational and Operational Effectiveness

Financial Impact

N/A

Exhibits: (List)

See Attachment

Source of Additional Information

William J. Sebring	770.479.1871
Steve Werner	770.479.1871

State of Georgia
County of Cherokee

GRANT OF UTILITY EASEMENT

This grant of easement made this 11th day of December, 2020, from Cherokee County School District of the State of Georgia, and County aforesaid, hereinafter called Grantor, to Cherokee County Board of Commissioners, a Political Subdivision of the State of Georgia, herein called the Grantee.

WITNESSETH, the Grantor for and in consideration of the sum of $1.00 and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, does grant, bargain, sell, and convey unto Grantee an easement and perpetual right-of-way over, upon, through, under and/or across the property of the Grantor in Land Lot(s) 878, of the 3rd District, 2nd Section, Cherokee County, Georgia, and being a strip of land more particularly described and shown on the plat attached hereto as Exhibit "A" and entitled Sanitary Sewer Force Main Easement For: Cherokee County Board of Commissioners made a part hereof showing the dimensions and location of this easement. The permanent, exclusive easement covered by this instruction is 20 feet wide in some areas, and 15 feet wide in other areas, as shown on Exhibit "A", with the permission to use an additional 10 feet wide during construction, and other areas for construction as shown on approved plans by PWH Engineering, Inc. dated 09-30-20, unless and as otherwise shown on Exhibit "A", the center of said permanent, exclusive easement shall be the center line of the utility pipeline hereinafter installed over, upon, unless otherwise shown on Exhibit "A", through, under and/or across said lands. The easement begins and ends where the said pipeline enters and leaves the property line as indicated above, and totals approximately 600 feet in length.

The permanent, exclusive easement covered by this instruction is for the purpose of a sanitary sewer force main utility installation and operation together with the right to go upon said land to install said utility pipeline and installations with the continuous right from time to time to go in and upon said right of way and to construct, install, operate, maintain, inspect, reconstruct, repair, renew, and replace therein the utility pipeline and other installations as may be necessary; also the right to clear; keep clear, remove and dispose of all undergrowth, trees and other obstructions, objects and structures on said right of way, which are inconsistent with the rights of the Grantee and which may interfere with or endanger the construction, operation and maintenance of said sewer force main and other installations; also the right of ingress and egress to and from said right of way over roads, if any, existing at the time for such ingress and egress, for the purpose of constructing, operating, maintaining, repairing, renewing, replacing said utility pipeline and installations. Said right of way easement may be used by the owners of said land, or their assigns, provided such use is not inconsistent with the rights sought to be condemned and further that such use does not interfere with, injure or endanger said utility pipeline and other installations and the construction, repairing, renewal and replacement thereof and the uses for the purposes hereinbefore slated.

Grantor for both itself and its heirs and assigns understands and agrees in connection with this conveyance that any and all construction, digging, grubbing, clearing, filling or other earth moving or construction activities within or in the easement area conveyed herein are prohibited without the express written permission from the Cherokee County Board of Commissioners.

The Grantor does hereby covenant that they are lawfully seized and possessed of the real estate above described, that Grantor does have good and lawful right to convey the said

property, and said property is free from all encumbrances, and that they will forever warrant and defend title thereto against the claims of all persons whomsoever.

IN WITNESS WHEREOF, said GRANTOR hereunder set his hand and affixed his seal on the date written above.

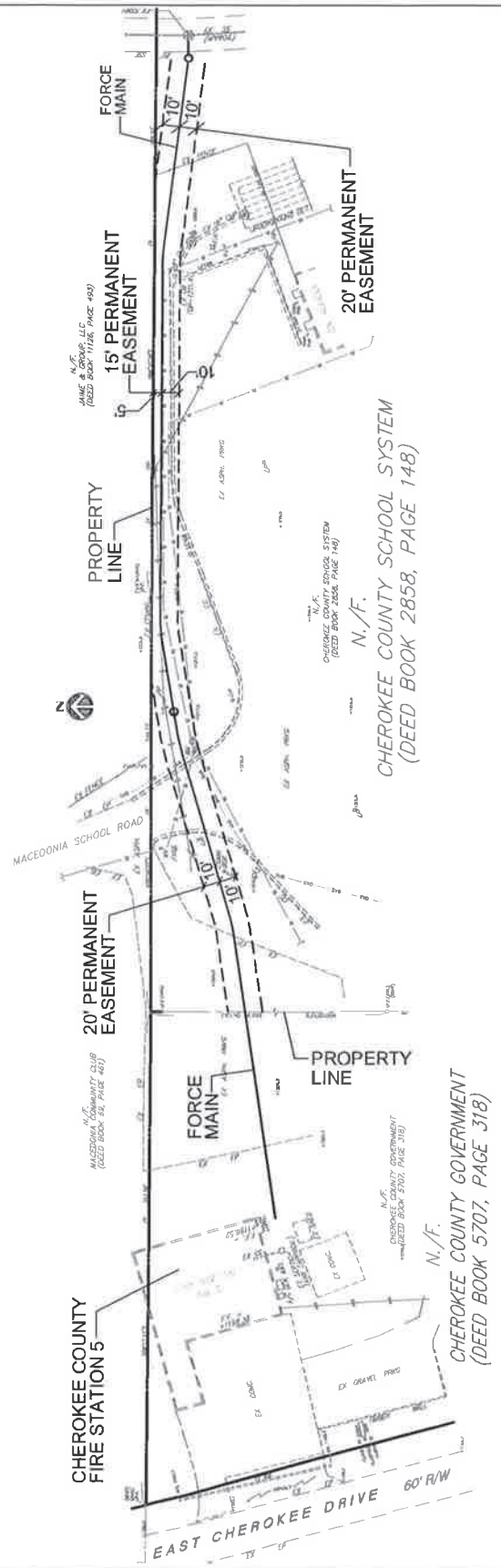
WITNESS	GRANTOR
Mitch Hamilton	William J. Sebring
Witness (Printed Name)	Grantor (Printed Name)
Witness (Signature)	Grantor (Signature)

Sworn to and subscribed before me

This the _____ day of _____, 2020.

_____

Notary Public



PWH ENGINEERING
2900 DELK ROAD SUITE 700 #318
MARIETTA, GA. 30067
PHONE: 770-433-8190

EXHIBIT A

SANITARY SEWER FORCE MAIN EASEMENT FOR CHEROKEE COUNTY BOARD OF COMMISSIONERS

LAND LOT 878 3RD DISTRICT 2ND SECTION

DATE: 11-18-20	JOB: 20140	SCALE: 1" = 100'	SHEET: 1