

**MEMORANDUM**

**To:** Mayor and City Council

**From:** Chris Pike, Finance Director

**Date:** July 10,2017

**Subject:** **First Read: Temporary Construction Easement Agreement for Taylor Morrison of Georgia LLC**

---

**BACKGROUND**

Taylor Morrison of Georgia has requested a temporary construction easement on the City's property located at 50 Perimeter Center East for grading and wall construction. The easement area requested is located in the southwest corner of the property, as can be seen on the attached site map highlighted in yellow. The easement area shown is 0.243 acres. In return for the easement, Taylor Morrison will fund and complete the construction of the wall, fencing and trail to connect the sidewalk to the trailhead in the park.

**RECOMMENDATION**

Staff recommends granting this easement to Taylor Morrison of Georgia as it is a benefit for the construction of the trailway through the park property.

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**ORDINANCE 2017-XX-XX**

**AN ORDINANCE TO GRANT TAYLOR MORRISON OF GEORGIA, LLC A  
TEMPORARY CONSTRUCTION EASEMENT FOR THE PURPOSE GRADING AND  
CONSTRUCTION OF THE DUNWOODY TRAILWAY**

**WHEREAS,** the City of Dunwoody (Grantor) and Taylor Morrison of Georgia, LLC ("Grantee") have previously entered into an agreement to construct a portion of the Dunwoody Trailway connecting Perimeter Center East to Old Georgetown Trail

**WHEREAS,** as part of the development of its Property, Grantee has requested a temporary construction easement to improve the grading along its property boundaries

**WHEREAS,** the Grantee as part of their grading improvements will construct, at their cost, a section of trail connecting the length of trail along the rear of their property through the Grantors property to the Right of Way along Perimeter Center East.

**NOW, THEREFORE IT SHALL BE ORDAINED,** by the Mayor and Council for the City of Dunwoody, that the Mayor, City Manager, and City Attorney are hereby authorized to execute all necessary documents.

**SO RESOLVED AND EFFECTIVE,** this \_\_\_\_ day of \_\_\_\_\_, 2016.

Approved:

\_\_\_\_\_  
Denis L. Shortal, Mayor

Approved as to Form and Content

Attest:

\_\_\_\_\_  
Sharon Lowery, City Clerk

\_\_\_\_\_  
City Attorney

(Seal)

PERIMETER CENTER EAST  
(R/W VARIES)

TEMPORARY  
CONSTRUCTION  
EASEMENT  
0.243 ACRES



L.L.  
34711

N/F  
CITY OF DUNWOODY  
D.B. 25309 / PG. 528

COMM. MH  
L3  
P.O.B.  
L2  
L1

L4  
L13  
P.O.C.

C1  
L5  
L6

L7

L8

L9

L10

CONCRETE BLOCK WALL w/ WOOD FENCE BEHIND IT

IPF  
1" CRIMP  
TOP PIPE

TOWNSEND LANE - (PRIVATE STREET)



-119-

**PLANNERS AND ENGINEERS COLLABORATIVE**

"WE PROVIDE SOLUTIONS"



■ SITE PLANNING ■ LANDSCAPE ARCHITECTURE  
■ CIVIL ENGINEERING ■ LAND SURVEYING  
350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092  
(770)451-2741 ■ WWW.PECATL.COM

**EXHIBIT C**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**TOWNSEND AT PERIMETER**

COUNTY DEKALB  
STATE OF GEORGIA  
CITY OF DUNWOODY  
LAND LOT(S) 347  
DISTRICT 18th



DRAWN BY: MS  
CHECKED BY: JNH  
FILE NO.: 05129.00D  
DATE: 06/22/17  
SCALE: 1" = 50'

CURVE DATA				
Curve #	ARC	Radius	CHORD	CHORD BEARING
C1	5.33'	3.42'	4.81'	S36°50'11"E

Parcel Line Table		
Line #	Length	Direction
L1	2.40'	N85° 30' 12"W
L2	15.99'	N4° 12' 26"E
L3	15.03'	N4° 12' 26"E
L4	93.62'	S84° 28' 19"E
L5	14.75'	S2° 49' 14"W
L6	56.71'	S84° 43' 57"E
L7	25.14'	N58° 35' 12"E
L8	97.16'	S85° 30' 12"E
L9	154.99'	N85° 35' 50"E
L10	49.05'	S8° 21' 17"W
L11	337.48'	N85° 30' 12"W
L12	17.10'	N17° 52' 37"W
L13	77.19'	N85° 22' 30"W



**PLANNERS AND ENGINEERS COLLABORATIVE**

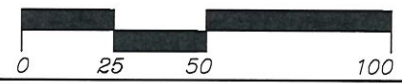
"WE PROVIDE SOLUTIONS"



■ SITE PLANNING ■ LANDSCAPE ARCHITECTURE  
 ■ CIVIL ENGINEERING ■ LAND SURVEYING  
 350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092  
 (770)451-2741 ■ WWW.PECATL.COM

**EXHIBIT C**  
**TEMPORARY CONSTRUCTION EASEMENT**  
**TOWNSEND AT PERIMETER**

COUNTY DEKALB  
 STATE OF GEORGIA  
 CITY OF DUNWOODY  
 LAND LOT(S) 347  
 DISTRICT 18th



DRAWN BY: MS  
 CHECKED BY: JNH  
 FILE NO.: 05129.00D  
 DATE: 06/22/17  
 SCALE: 1" = 50'

## Exhibit C

## Temporary Construction Easement

ALL THAT TRACT OF LAND in Land Lot 347 of the 18<sup>th</sup> District, City of Dunwoody, DeKalb County, Georgia, described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin found on the easterly right of way of Perimeter Center East (right of way varies), said iron pin being the common property corner of property line common to 54 Perimeter Acquisitions, LLC (plat book 250, page 20) and City of Dunwoody (Deed Book 25309, Page 528), said point being the TRUE POINT OF BEGINNING; thence leaving said common property corner of property line common to 54 Perimeter Acquisitions, LLC and City of Dunwoody and proceed along said easterly right of way of Perimeter Center East the following courses and distances: North 85 degrees 30 minutes 12 seconds West, a distance of 2.32 feet to a point; North 04 degrees 12 minutes 26 seconds East, a distance of 15.99 feet to a point, said point being the TRUE POINT OF BEGINNING;

With the TRUE POINT OF BEGINNING as thus established, thence along said easterly right of way of Perimeter Center East North 04 degrees 12 minutes 26 seconds East, a distance of 15.03 feet to a point; thence leaving said easterly right of way of Perimeter Center East and proceed South 84 degrees 28 minutes 19 seconds East, a distance of 91.49 feet to the point; 5.33 feet along an arc of curve to the right, having a radius of 3.42 feet and chord bearing of South 36 degrees 50 minutes 11 seconds East a distance of 4.81 feet to a point; thence South 02 degrees 49 minutes 14 seconds West, a distance of 14.75 feet to a point; thence South 84 degrees 43 minutes 57 seconds East, a distance of 56.71 feet to a point; thence North 58 degrees 35 minutes 12 seconds East, a distance of 25.14 feet to a point; thence South 85 degrees 30 minutes 12 seconds East, a distance of 97.16 feet to a point; thence North 85 degrees 35 minutes 50 seconds East, a distance of 154.99 feet to a point located on the property line common to 54 Perimeter Acquisitions, LLC and City of Dunwoody; thence along said property line common to 54 Perimeter Acquisitions, LLC and City of Dunwoody the following courses and distances: South 08 degrees 21 minutes 17 seconds West, a distance of 49.05 feet to a point; thence North 85 degrees 30 minutes 12 seconds West, a distance of 337.48 feet to a point; thence leaving said property line common to 54 Perimeter Acquisitions, LLC and City of Dunwoody North 17 degrees 52 minutes 37 seconds West, a distance of 17.10 feet to a point; thence North 85 degrees 22 minutes 30 seconds West, a distance of 76.05 feet to a point, said point being the TRUE POINT OF BEGINNING.

Containing 0.243 acres.



-123-

PLACE EXISTING ADA RAIN  
 PROPOSED 6' FENCE ALONG  
 THE PROPERTY BOUNDARY  
 (SEE SHEET D8 FOR DETAILS)

BIKE LANE TO REMAIN

RIGHT OF WAY TO BE  
 THE EDGE OF SIDEWALK

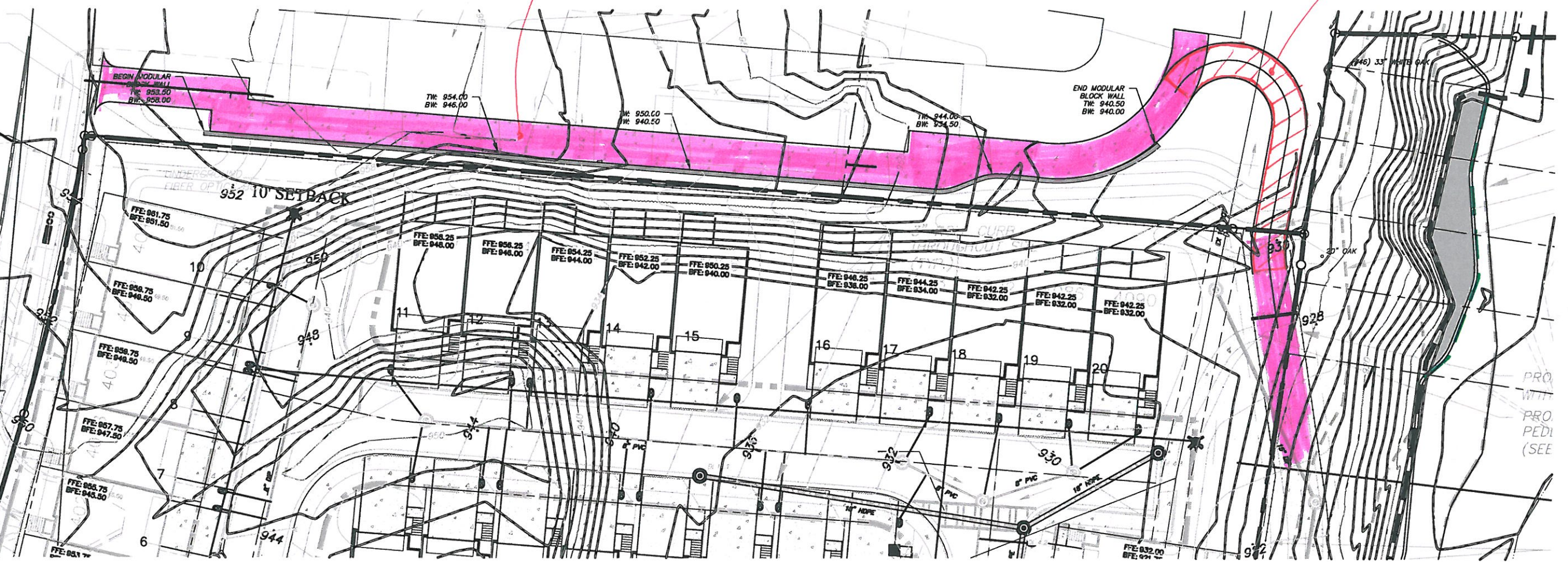
PROPOSED 6' SIDEWALK  
 TENANCE EASEMENT

VEGETATION ALONG PERIMETER  
 AS TO BE INSTALLED  
 10' FROM SIDEWALK  
 (SEE SHEET D8 FOR DETAILS)

PLANTING TO  
 MEET POUD STANDARDS

VEGETATION ENTRANCE  
 FROM RONT'S STREET

TRUNK  
 NIP  
 TYPE



TOWNHOME 12' WIDE TRAIL

PROPOSED CONNECTION