



4800 Ashford Dunwoody Road  
Dunwoody, Georgia 30338  
dunwoodyga.gov | 678.382.6700

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Brent Walker, Parks Director

**Date:** July 8, 2019

**Subject:** **First Read: Permanent Easement Agreement for Georgia Power Company at Brook Run Park**

---

### **BACKGROUND**

Georgia Power Company has requested a permanent easement on the City's property located at 4770 North Peachtree Rd for installation and maintenance of the power service for the Brook Run Park Phase I Construction Project. The easement areas requested can be seen on the attached site map.

### **RECOMMENDATION**

Staff recommends granting this easement to Georgia Power Company as it is a benefit for the construction of Brook Run Park.

Denis Shortal Mayor  
Eric Linton, ICMA-CM City Manager  
Sharon Lowery, CMC City Clerk

Pam Tallmadge City Council Post 1  
Jim Riticher City Council Post 2  
Doug R. Thompson City Council Post 3

Terry Nall City Council Post 4  
Lynn Deutsch City Council Post 5  
John Heneghan City Council Post 6

Packet page:...

After recording, return to:  
Georgia Power Company  
Attn: Land Acquisition (Recording)  
241 Ralph McGill Blvd NE  
Bin 10151  
Atlanta, GA 30308-3374

-----  
PROJECT 2019060151            LETTER FILE                    DEED FILE                    MAP FILE  
ACCOUNT NUMBER    69596-VBS-0-E03319-0-GP801-30000000-0  
NAME OF LINE/PROJECT: 4770 N PEACHTREE (DEKALB COUNTY) DISTRIBUTION LINE  
  
PARCEL NUMBER 001  
-----

STATE OF GEORGIA  
DEKALB COUNTY

**U N D E R G R O U N D   E A S E M E N T**

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, **CITY OF DUNWOODY** (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is **4800 Ashford Dunwoody, Dunwoody, GA 30338**, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at 4770 N Peachtree Rd, Atlanta, GA 30338 (Tax Parcel ID No. 18 354 01 005) in Land Lot 353, 354 of the 18 District of Dekalb County, Georgia.

The "Easement Area" is defined as any portion of the Property located within ten (10) feet of the centerline of the underground distribution line(s) and related equipment as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with wires, transformers, service pedestals, manholes, conduits, cables and other necessary apparatus, fixtures and appliances; the right to stretch communication or other lines of any other company or person under the Easement Area; the right to assign this Underground Easement in whole or in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or

-----  
 PARCEL 001            NAME OF                    4770 N PEACHTREE (DEKALB COUNTY) DISTRIBUTION  
                          LINE/PROJECT:                    LINE  
 -----

making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the Company shall remain the property of the owner of said timber.

The Undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

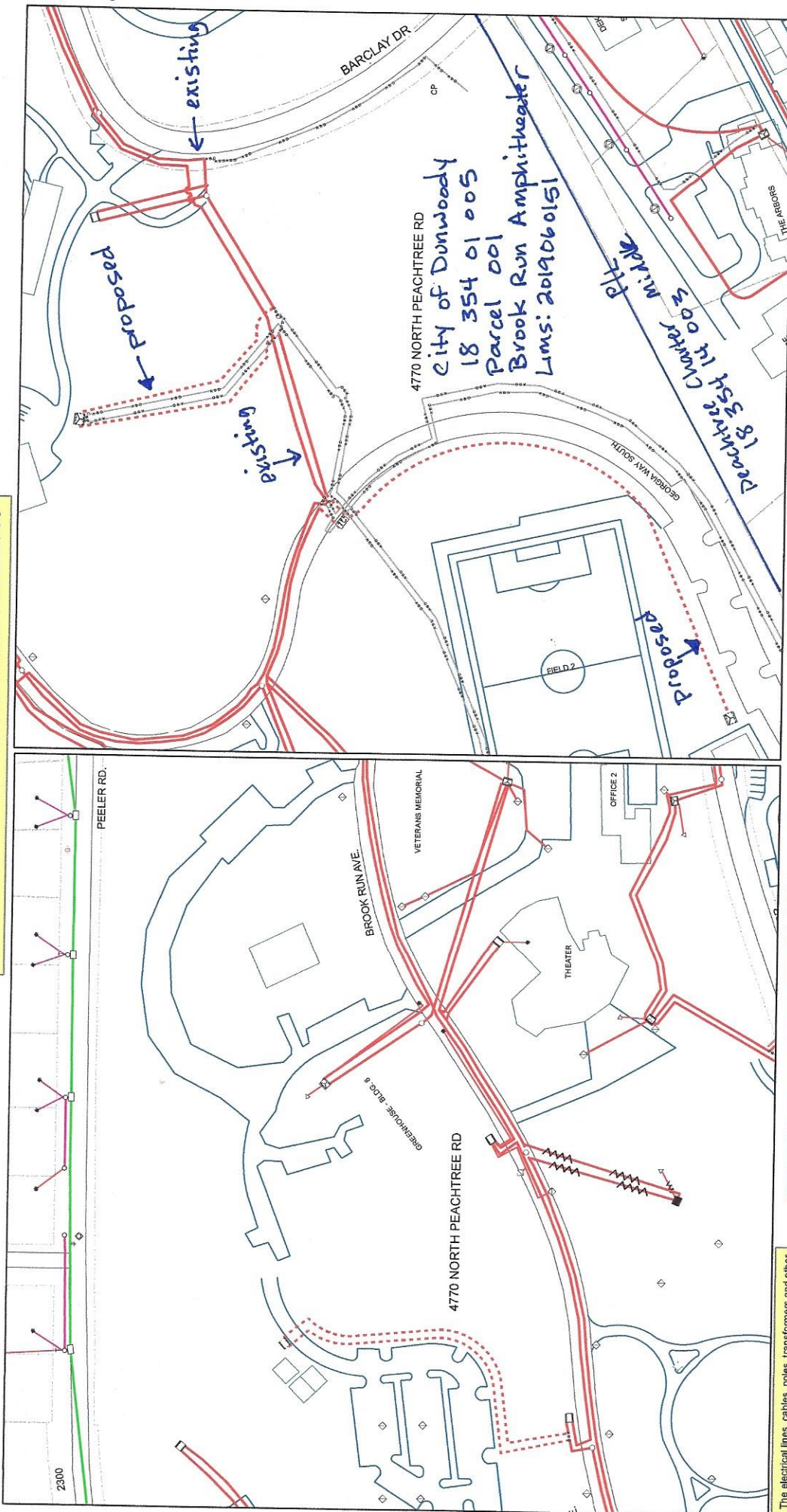
The Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

[Signature(s) on Following Page(s)]



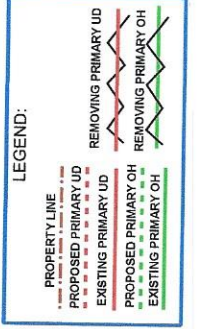
4770 N. Peachtree (DeKalb County)  
Distribution Line

This document serves as Easement "EXHIBIT A"



The electrical lines, cables, poles, transformers and other electrical equipment shown on this print are for illustrative purposes only and do not represent the precise locations or numbers thereof.  
The property owner accepts the electric distribution represented on this construction print.

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_



ANY PROPERTY INFORMATION IS ACQUIRED FROM A CUSTOMER SITE PLAN AND RW IS 'APPARENT' AS THIS PRINT IS A DIAGRAMMATIC REPRESENTATION ONLY

**DWE# GP801E03319**

DEVELOPER IS RESPONSIBLE FOR THE REMOVAL OF ANY ROCK AS DETERMINED BY GEORGIA POWER COMPANY DESIGN ACCEPTANCE

GEORGIA POWER COMPANY  
JOB TITLE: BROOKRIN PARKLAMP  
LOCATION: 4770 NORTH PEACHTREE RD DUNWOODY  
ENGINEERED BY: JACOB KOLSTON

**NOT TO SCALE**

GP801E03319

Georgia Power