



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

MEMORANDUM

To: Mayor and City Council

From: Ishri Sankar, Capital Project Manager

Date: March 14, 2022

Subject: **Approval of a Permanent Easement for Georgia Power Company at 5349 Chamblee Dunwoody Road**

Action

Authorize the Mayor, City Manager, or designee to execute all documents necessary and proper to grant a permanent easement agreement for Georgia Power Company to construct and maintain utility lines along the Womack Road frontage of the Dunwoody Cultural Arts Center property at 5349 Chamblee Dunwoody Road.

Summary

The city is planning to begin constructing intersection improvements at Chamblee Dunwoody Road and Womack Road later this year. As part of this project, the existing overhead utilities need to be relocated approximately 30 feet to the north along Womack Road adjacent to the Dunwoody Cultural Arts Center property at 5349 Chamblee Dunwoody Road. This will place the new overhead lines along the property line for the arts center as shown on Exhibit A. Georgia Power requires 15 feet on both sides of the lines for construction and maintenance purposes and as such, is requesting an easement along the southern property line of the arts center property. Per the City's franchise agreement with Georgia Power, there are no fees associated with the relocation nor any compensation for the easement.

Recommendation

Staff recommends that the City Council authorize the Mayor, City Manager, or designee to execute all documents necessary and proper to grant a permanent easement agreement for Georgia Power Company to construct and maintain utility lines along the Womack Road frontage of the Dunwoody Cultural Arts Center property at 5349 Chamblee Dunwoody Road.

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

PROJECT 2022010285 LETTER FILE DEED FILE MAP FILE
ACCOUNT NUMBER 10578783-GPC9596-VBS-0
NAME OF LINE/PROJECT: PI # L10461 CHAMBLEE DUNWOODY AT WOMACK ROAD (DEKALB COUNTY)
DISTRIBUTION LINE

PARCEL NUMBER 001

STATE OF GEORGIA (GA)
DEKALB COUNTY

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 Road, Dunwoody, Georgia 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 5349 CHAMBLEE DUNWOODY ROAD, DUNWOODY, GEORGIA 30338 (Tax Parcel ID No. 18 366 05 006) in Land Lot 363, 366 of the 18TH District of Dekalb County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) 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 poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical,

 PARCEL 001 NAME OF PI # L10461 CHAMBLEE DUNWOODY AT WOMACK ROAD
 LINE/PROJECT: (DEKALB COUNTY) DISTRIBUTION LINE

communication or other purposes; the right to assign this 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 making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or 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 overhead or 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)]

Exhibit "A"



City of Dunwoody
5349 Chamblee Dunwoody Road
Tax Parcel # 18 366 05 006

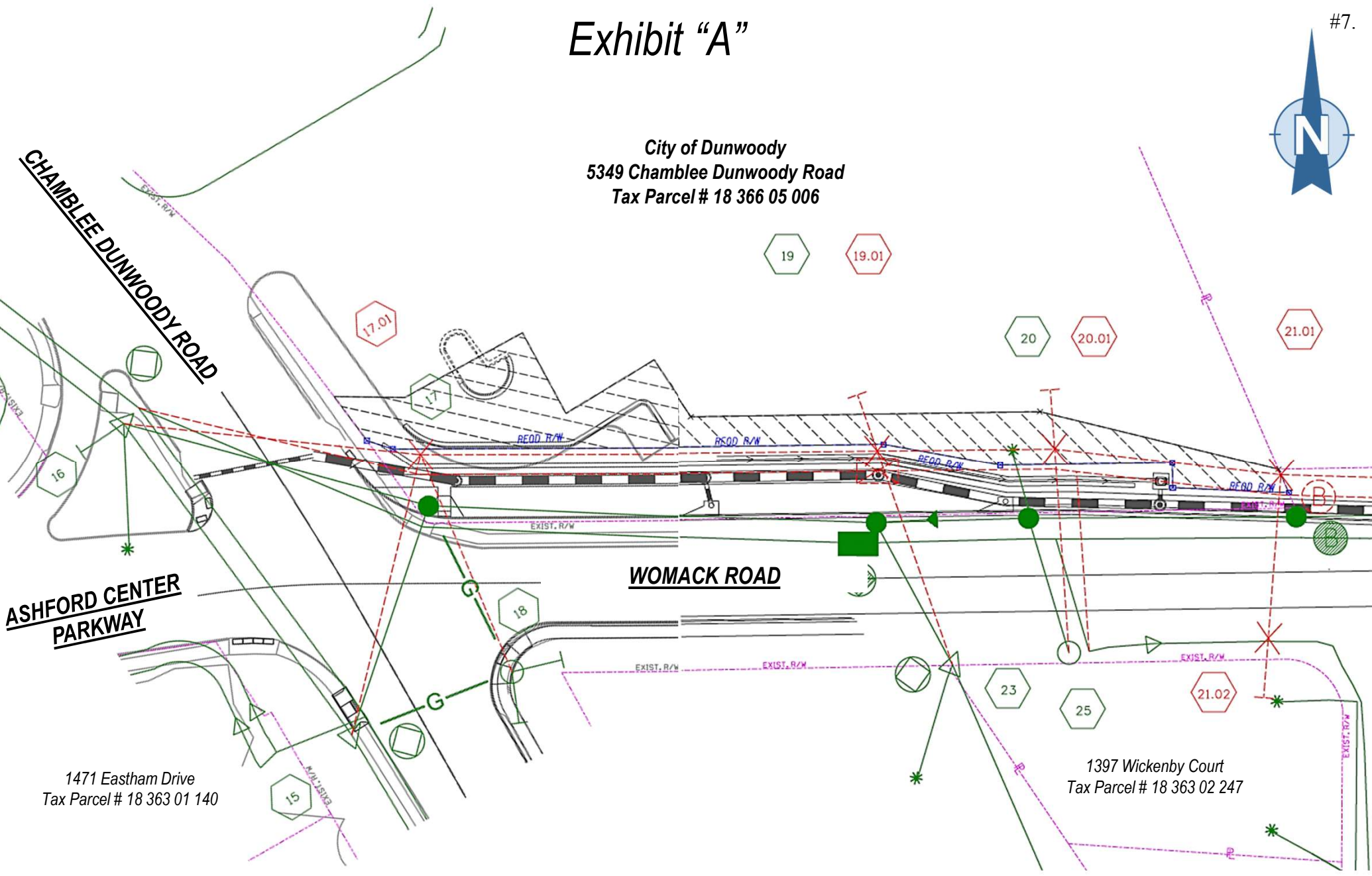
CHAMBLEE DUNWOODY ROAD

ASHFORD CENTER PARKWAY

WOMACK ROAD

1471 Eastham Drive
Tax Parcel # 18 363 01 140

1397 Wickenby Court
Tax Parcel # 18 363 02 247



Parcel 001

DRAWING NOT TO SCALE

PI # L10461 CHAMBLEE DUNWOODY AT WOMACK ROAD (DEKALB COUNTY) DISTRIBUTION LINE
LIMS # 2022010285
Pole Location(s): 17.01, 19.01, 20.01