

After recording return to:

Whitney S. Brown
P.O. Box 3280
Gainesville, GA 30501
Parcel - 001A

Re: Deed Book 8426, Page 195, Hall County,
Georgia Deed Records

**AMENDMENT TO
ACCESS, CONSTRUCTION, AND MAINTENANCE EASEMENT
HALL COUNTY BOARD OF COMMISSIONERS**

Project Name: Friendship Road Sewer Corridor Extension

WHEREAS, on February 13, 2020, that certain Access, Construction, and Maintenance Easement: Hall County Board of Commissioners from We-Flip LLC ("Grantor") to HALL COUNTY, GEORGIA (the "Grantee") was filed and recorded in Deed Book 8426, page 195 of the Hall County, Georgia Deed Records, a copy of which is attached as **Exhibit "A"** and made a part hereof by reference (the "Original Easement"); and

WHEREAS, due to a miscommunication between the Grantee and its contractor, CDM Smith, the temporary construction easement granted by Grantor as a portion of the Original Easement is located in an incorrect location; and

WHEREAS, Grantor and Grantee now desire to amend the Original Easement to release the temporary construction easement granted pursuant thereto and provide for the grant of a new temporary construction easement in the correct location; and

Now, therefore, for and in consideration of One Dollar (\$1.00) in hand paid, the Original Easement is hereby amended as follows:

-1-

The 10' wide temporary construction easement depicted on Exhibit "A" to the Original Easement is hereby released, and Grantee shall no longer have any interest in said temporary construction easement.

The new temporary construction easement as depicted in **Exhibit "B"** hereto, which is incorporated herein by reference, is hereby granted and conveyed to Grantee (the "New TCE").

The New TCE shall be subject to those terms and conditions as described in the Original Easement.

Except as expressly amended hereby, the Original Easement is in all respects ratified and affirmed.

This _____ day of _____, 20_____.

Signed, sealed and delivered
in the presence of:

GRANTOR:
We-Flip LLC

[Handwritten Signature]

Unofficial Witness

[Handwritten Signature]

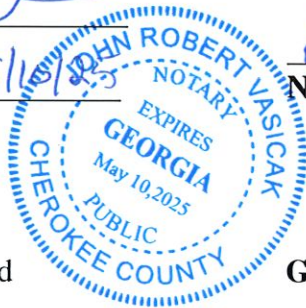
Name: _____ (SEAL)

[Handwritten Signature]

Notary Public
My Commission Expires: _____
(Notary Seal)

[Handwritten Signature]

Name: _____ (SEAL)



Signed, sealed and delivered
in the presence of:

GRANTEE:

HALL COUNTY, GEORGIA

Unofficial Witness

By: _____
Chairman, Board of Commissioners
of Hall County

Notary Public
My Commission Expires: _____
(Notary Seal)

Attest: _____
Clerk, Board of Commissioners
of Hall County

FILED & RECORDED
DATE: 2/13/2020
TIME: 3:45PM
DEED BOOK: 8426
PAGES: 195-198
FILING FEES: \$25.00
Recorded By: NT
Charles Baker, C.S.C.
Hall County, GA

EXHIBIT "A"

Return to:
J. Randall Frost
Stewart, Melvin & Frost, LLP
P. O. Box 3280
Gainesville, GA 30503

File
→

ACCESS, CONSTRUCTION, AND MAINTENANCE EASEMENT BOARD OF COMMISSIONERS HALL COUNTY, GEORGIA

Project Name: Friendship Road Corridor Sewer Extension

THIS EASEMENT CONVEYANCE made and executed February 13, 2020,

WITNESSETH that **WE FLIP, LLC**, a Georgia limited liability company, hereinafter referred to as GRANTOR, is the owner of a tract of land in Hall County adjacent to a project consisting of the placement and maintenance of sanitary sewer lines (the "Project"). The Project has been laid out by parties acting for the Hall County Board of Commissioners, Hall County, Georgia.

NOW, therefore, for and in consideration of one (\$1.00) dollar in hand paid, receipt of which is acknowledged, the GRANTOR does hereby grant and convey to **HALL COUNTY, GEORGIA**, hereinafter referred to as GRANTEE, an easement over, through, across and under the real property shown on Exhibit "A" and described on Exhibit "B", both of the Exhibits are attached hereto and made a part hereof.

CONDITIONS/RESERVATIONS/SPECIAL PROVISIONS

The Grantee shall have the right of ingress and egress on the property of the GRANTOR for the purpose of constructing, installing, laying and maintaining said sanitary sewer line and shall exercise reasonable diligence in doing necessary work in connection herewith so as to avoid unnecessarily damaging the property of the GRANTOR.

EXHIBIT "A"

- 1) A temporary Access and Construction Easement through the property of the GRANTOR above described of Grantor as shown on the attached Easement Exhibit. The temporary easement will allow for clearing of trees, brush and excavations within the easement necessary for installation of the sewer lines. The temporary easement will expire at the completion of project.
- 2) A perpetual Access and Maintenance Easement will extend a distance of fifteen (15) feet on either side of the completed sewer line on GRANTOR'S property. GRANTEE shall have the right to construct, maintain, operate, repair, replace, patrol, and remove sewer lines, manholes, gravel access driveways and appurtenances thereto, within the Access and Maintenance Easement area and through the above described property of the GRANTOR. GRANTEE shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the easement herein granted. GRANTOR agrees not to build, construct, or create, nor permit others to build, construct, or create, any buildings or other structures on the herein granted easement. GRANTOR further agrees not to do any grading or filling within the easement area without prior written approval of the GRANTEE.
- 3) This Easement provides for access on Grantor's property by GRANTEE and/or GRANTEE'S employees, subcontractors and/or designated representatives, and includes all vehicles, equipment, tools, and materials necessary for completion of the project. All disturbed areas related to the project will be stabilized using Best Management Practices for control of soil erosion and sedimentation.

In exercising the rights herein granted, GRANTEE shall restore all easement and construction areas to as near as reasonably possible their original condition and contour, prior to said activities.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto.

The undersigned does not convey any land, but merely grants the rights, privileges, and easements herein before set out.

The above description of the project and special provisions were inserted before the execution hereof by the Grantor.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day above written.

Signed, sealed and delivered
in the presence of:

WE FLIP, LLC

J. Randall Frost

Unofficial Witness

By: *Wayne McLeroy*

Wayne McLeroy, Manager

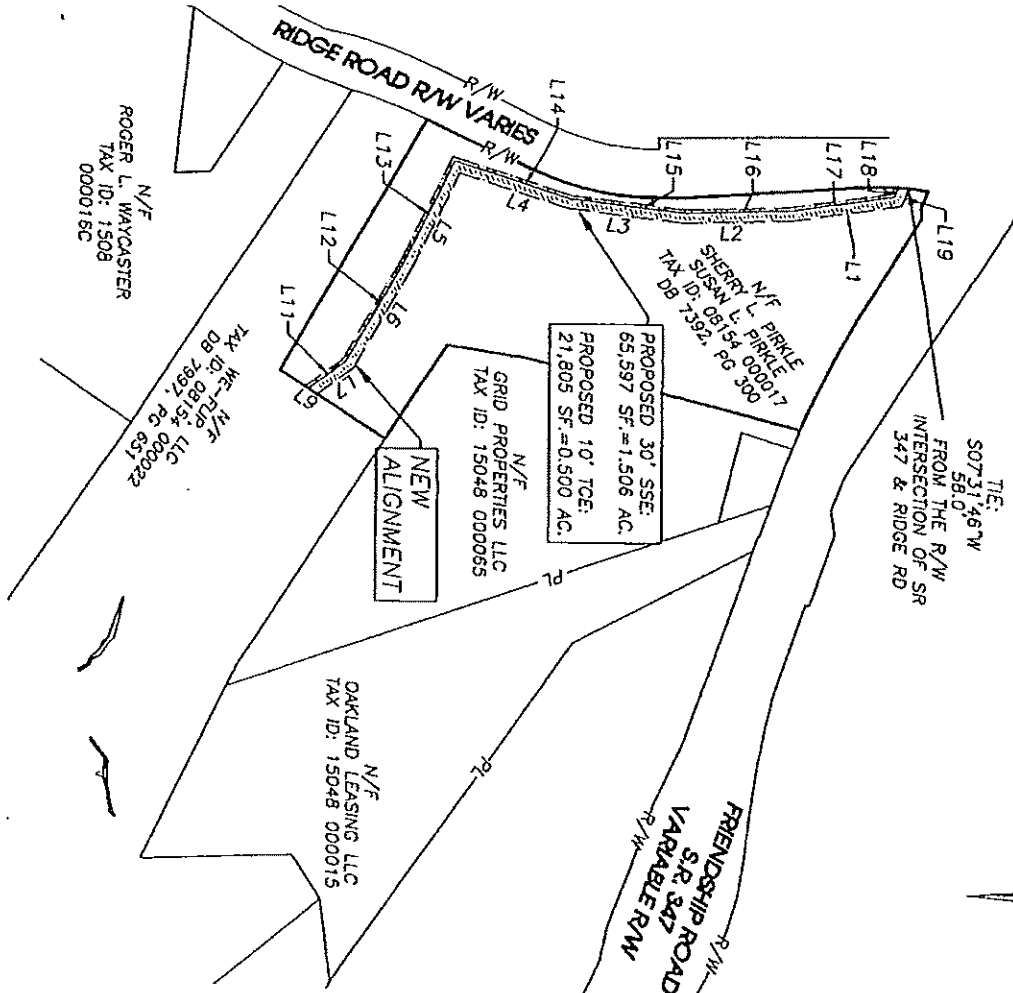
Denise A. Erwin

Notary Public
[NOTARIAL SEAL]
Commission Expires



Property PIN #: 08154 000017

EXHIBIT 'A'



LEGEND

- AC DEED BOOK, PAGE
- DB, PG LAND LOT
- LL LAND LOT LINE
- LLL NOW OR FORMERLY
- N/F PROPERTY LINE
- PL POINT OF BEGINNING
- POB POINT OF COMMENCEMENT
- POC PLAT BOOK, PAGE
- POB, PG RIGHT OF WAY
- R/W SANITARY SEWER EASEMENT
- SSE SQUARE FEET
- SF TEMPORARY CONST. EASEMENT
- TCE

CALL TABLE

Line #	Length	Direction
L1	326.60'	S63°33'29"E
L2	320.76'	S1°53'48"E
L3	352.55'	S6°37'11"W
L4	338.79'	S17°31'08"W
L5	308.58'	S63°44'43"E
L6	353.62'	S60°02'52"E
L7	134.52'	S35°47'22"E
L9	32.32'	N32°21'51"E
L11	140.10'	N35°47'22"W
L12	346.24'	N60°02'52"W
L13	333.31'	N65°44'45"W
L14	381.69'	N17°31'01"E
L15	347.45'	N63°31'17"E
L16	316.28'	N1°53'48"W
L17	307.22'	N8°33'29"W
L18	29.11'	N69°26'40"W
L19	55.92'	S89°26'40"E

REV #4(LIC): 6/18/19. NEW ALIGNMENT

SHEET **1** OF **1**

DATE: 5/15/17
 SCALE: 1"=500'
 JOB NO.: G216094.CDM
 DRAWN BY: MED
 FILE NO. ESMNT

SANITARY SEWER EASEMENT EXHIBIT FOR:

WE-FLIP, LLC

FRIENDSHIP G.M.D. (1419)
 HALL COUNTY, GEORGIA
 PARCEL #1A

Rochester & Associates, Inc.

425 Oak Street N.W.
 Gainesville, Georgia 30501
 (770)718.0600 (770)718.9090 Fax
 www.rochester-assoc.com

REV. #1(LGC): 5/31/17; ADDED TEMP. CONST. ESMNT (TCE)~REV. #2(LJC): 2/22/18; NEW ALIGN.~REV. #3(LJC): 6/7/18; NEW ALIGN.

EXHIBIT "A"

EXHIBIT "B"

All that tract or parcel of land lying and being in Friendship G.M.D. (1419), Hall County, Georgia, and being Parcel 1A containing 1.506 acres as shown on a Sanitary Sewer Easement Exhibit for We-Flip, LLC, dated May 15, 2017, last revised June 18, 2018, prepared by Rochester & Associates, Georgia Registered Land Surveyors, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the southern right of way of Friendship Road (S.R. 347) (right of way varies) with the eastern right of way of Ridge Road (right of way varies; thence South 07°31'46" West 58.0 feet to the TRUE POINT OF BEGINNING; thence South 69°26'40" East 55.92 feet to a point; thence South 8°33'29" East 326.60 feet to a point; thence South 1°53'48" East 320.76 feet to a point; thence South 6°37'11" West 352.55 feet to a point; thence South 17°31'06" West 338.79 feet to a point; thence South 63°44'43" East 308.58 feet to a point; thence South 60°02'52" East 353.62 feet to a point; thence South 35°47'22" East 134.52 feet to a point; thence North 32°21'51" East 32.32 feet to a point; thence North 35°47'22" West 140.10 feet to a point; thence North 60°02'52" West 346.24 feet to a point; thence North 63°44'45" West 333.31 feet to a point; thence North 17°31'01" East 361.68 feet to a point; thence North 6°37'11" East 347.45 feet to a point; thence North 1°53'48" West 316.78 feet to a point; thence North 8°33'29" West 307.22 feet to a point; thence North 69°26'40" West 29.11 feet to the TRUE POINT OF BEGINNING.

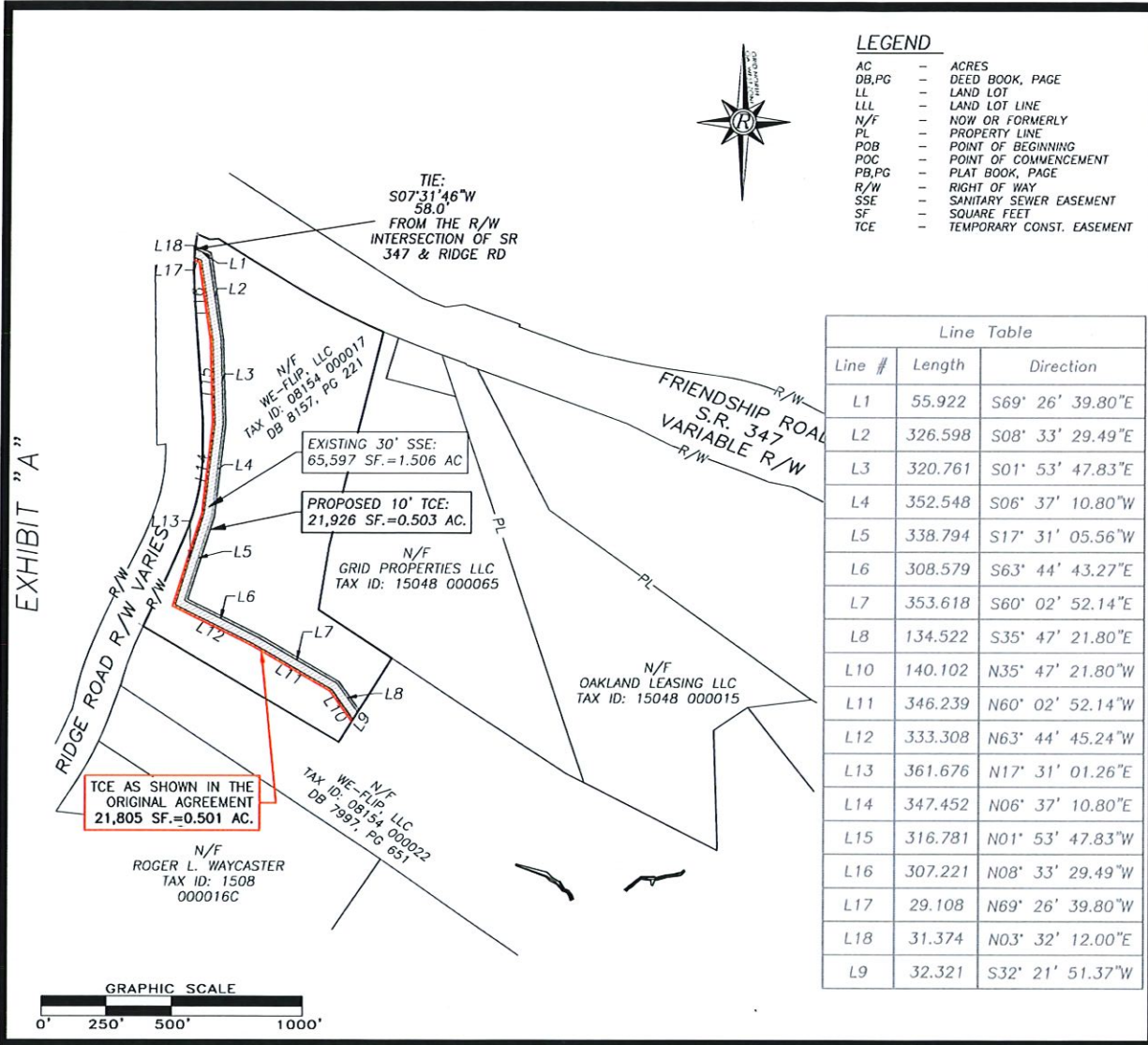
EXHIBIT "B"



LEGEND

- AC - ACRES
- DB,PG - DEED BOOK, PAGE
- LL - LAND LOT
- LLL - LAND LOT LINE
- N/F - NOW OR FORMERLY
- PL - PROPERTY LINE
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- PB,PG - PLAT BOOK, PAGE
- R/W - RIGHT OF WAY
- SSE - SANITARY SEWER EASEMENT
- SF - SQUARE FEET
- TCE - TEMPORARY CONST. EASEMENT

Line Table		
Line #	Length	Direction
L1	55.922	S69° 26' 39.80"E
L2	326.598	S08° 33' 29.49"E
L3	320.761	S01° 53' 47.83"E
L4	352.548	S06° 37' 10.80"W
L5	338.794	S17° 31' 05.56"W
L6	308.579	S63° 44' 43.27"E
L7	353.618	S60° 02' 52.14"E
L8	134.522	S35° 47' 21.80"E
L10	140.102	N35° 47' 21.80"W
L11	346.239	N60° 02' 52.14"W
L12	333.308	N63° 44' 45.24"W
L13	361.676	N17° 31' 01.26"E
L14	347.452	N06° 37' 10.80"E
L15	316.781	N01° 53' 47.83"W
L16	307.221	N08° 33' 29.49"W
L17	29.108	N69° 26' 39.80"W
L18	31.374	N03° 32' 12.00"E
L9	32.321	S32° 21' 51.37"W



TCE AS SHOWN IN THE ORIGINAL AGREEMENT
21,805 SF.=0.501 AC.

EXISTING 30' SSE:
65,597 SF.=1.506 AC

PROPOSED 10' TCE:
21,926 SF.=0.503 AC.

N/F
ROGER L. WAYCASTER
TAX ID: 1508
000016C

N/F
WE-FLIP, LLC
TAX ID: 08154 000022
DB 7997, PG 651

N/F
GRID PROPERTIES LLC
TAX ID: 15048 000065

N/F
OAKLAND LEASING LLC
TAX ID: 15048 000015



Rochester
DEEM
Rochester and Associates, LLC
425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | 770.718.9090 f
www.rochester-assoc.com

SANITARY SEWER EASEMENT EXHIBIT FOR:
WE-FLIP, LLC
44-35 RIDGE RD., BUFORD, GA 30519
FRIENDSHIP G.M.D. (1419)
HALL COUNTY, GEORGIA
PARCEL #1A

SHEET OF 1 1
DATE: 5/15/17
SCALE: 1"=500'
JOB NO.: G216094.CDW
DRAWN BY: MED
FILE NO. ESMNT

REV. #1(LCC): 5/31/17; ADDED TEMP. CONST. ESMNT (TCE)~REV#2(LUG): 2/22/18; NEW ALIGN.~REV. #3(LUG): 6/7/18; NEW ALIGN.