

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION GRANTING TO THE CITY OF GAINESVILLE A PERMANENT
STORMWATER EASEMENT RELATED TO THE ATHENS STREET
PEDESTRIAN CORRIDOR IMPROVEMENT PROJECT**

WHEREAS, Hall County, Georgia (hereinafter referred to as “the County”), is the owner of a tract of land in Hall County, Georgia located at 1280 Athens Street Southeast, Gainesville, Georgia 30501 (hereinafter referred to as “the Property”) identified by the Tax Parcel Number 01140 000011.

WHEREAS, Hall County, Georgia desires to grant to the City of Gainesville, Georgia (hereinafter referred to as “the City”), a permanent stormwater maintenance easement on the Property by virtue of the execution of a Permanent Stormwater Easement (hereinafter referred to as “the Agreement”) attached hereto as “Exhibit A”.

WHEREAS, the County has determined that the establishment of a stormwater easement upon the Property in favor of the City as shown by “Exhibit B” attached hereto is necessary for the Athens Street Pedestrian Corridor Improvement project; and

WHEREAS, the City already owns and is responsible for the portion of Athens Street adjacent to the Property, the adjacent Right of Way and the stormwater facilities already existing adjacent to the property; and

WHEREAS, the Board of Commissioners has determined that the establishment of a permanent stormwater easement in favor of the City of Gainesville on the property would support the general welfare of the citizens of both the County and City; and

NOW THEREFORE, on behalf of Hall County, Georgia the Hall County Board of Commissioners establishes and grants to the City of Gainesville a permanent stormwater maintenance easement upon the Property. The Board further authorizes the Chairman to sign

any and all documents necessary to effectuate the establishment of the permanent stormwater easement upon the Property, including but not limited to the Agreement attached hereto as "Exhibit A" subject to the review and approval of the County Attorney.

SO RESOLVED this the _____ day of _____, 2026.

**HALL COUNTY BOARD OF
COMMISSIONERS**

Chairman, David Gibbs

ATTEST:

Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

County Attorney

Exhibit “A”

**PERMANENT EASEMENT FOR THE MAINTENANCE OF STORMWATER
DRAINAGE STRUCTURE
BOARD OF COMMISSIONERS
HALL COUNTY, GEORGIA**

Georgia, Hall County

Project Name: Athens Street Pedestrian Corridor Improvements

THIS CONVEYANCE made and executed this _____ day of _____, 20____;

WITNESSETH that Hall County, Georgia (GRANTOR), the undersigned, is the owner of a tract of land in Hall County, Georgia through which the Athens Street Pedestrian Corridor Improvements project will be constructed, including the construction of new sidewalk and new stormwater improvements.

NOW, THEREFORE, for and in consideration of ONE DOLLAR (\$1.00) in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant to the City of Gainesville, hereafter referred to as "Grantee", a permanent stormwater drainage easement for the purposes and uses hereafter set forth, within the easement area being more particularly shown on the attached description and the attached plat, incorporated herein by reference, over, through and across the following lands, lying and being in the City of Gainesville, Hall County, Georgia, to wit:

See Exhibits "A" and "B" attached hereto

Said permanent stormwater easement is a permanent maintenance easement shown on Exhibits "A" and "B" and is a permanent easement shown on Exhibits "A" and "B" and is granted for the right to maintain, repair, and rebuild any required drainage structures and/or the stormwater drainage system, located, relocated, or added, within the easement area, said permanent stormwater maintenance easement to commence upon completion of construction and acceptance of the stormwater drainage facilities by Hall County.

Grantee shall exercise reasonable diligence in doing necessary work on connection therewith, so as to avoid damaging the property. Any costs associated with the maintenance of any stormwater facilities within the easement shall be the responsibility of Grantee.

This Agreement is to be construed as a Covenant not to sue as well as a full accord and satisfaction of any and all claims as set out above, and the conveyance of all claims or rights shall be deemed to be in perpetuity.

The undersigned hereby warrants that it has the right to sell and convey said easement and binds itself, its successors and assigns and shall insure to the benefit of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal the day above written.

Sworn to and subscribed before me this
____ day of _____, 2026, in
the presence of:

Witness

David Gibbs,
Chairman, Hall County Board of Commissioners

Notary Public

My Commission Expires: _____

Date of Notarial Signature: _____

[NOTARIAL SEAL]

Exhibit “B”

PERMANENT EASEMENT FOR THE MAINTENANCE OF STORMWATER DRAINAGE STRUCTURE:

Easement Tax Parcel ID:

01140000011

All the tract or parcel of land lying and being in the Gainesville District, 411 GMD, Hall County Georgia, and fronting on Athens Street (Old US Hwy 129) and being more particularly described as follows:

Commencing at a property rebar marker having reference coordinates of Northing:1560463.934, Easting:2406768.324 GA93-WF; thence bearing S 53° 07' 28" E a distance of 272.93 feet to a point on the easterly right of way of Athens Street, which is the POINT OF BEGINNING.

Said, with property rebar marker, curve turning to the left through an angle of 00° 17' 50.4", having a radius of 3859.4011 feet, and whose long chord bears S 47° 12' 57.8" E for a distance of 20.0276 feet to a point of intersection with a non-tangential line. Thence S 45° 47' 41.9" W a distance of 17.0539 feet to a point on a line. Thence, N 44° 12' 18.1" W for a distance of 20.0000 feet to a point on a line. Thence, N 45° 47' 41.9" E for a distance of 16.0019 feet to the POINT OF BEGINNING.

Containing 333 square feet or 0.007 acres and being in 1280 Athens St, Gainesville, GA 30507 under the current numbering system in use in Hall County.

Being a Permanent Stormwater Easement over a part of that tract of land described in a deed from Gainesville and Hall County Development Authority to Hall County, Georgia dated March 19, 2024, recorded in Deed Book 9453, Pages 6-8 of the Hall County, Georgia Deed Records.