

After recording, please return to
The City of Roswell
38 Hill Street
Roswell, GA 30075
Attn: Robert Hulsey, Esq.

TEMPORARY CONSTRUCTION EASEMENT, AND
PERMANENT EASEMENT

STATE OF GEORGIA

COUNTY OF FULTON

FOR AND IN CONSIDERATION OF One Dollar (\$1.00) in hand paid, and for other good and valuable consideration **CAL L. ROHDA AND GINA A. CARELLAS** (collectively "Grantor") hereby grants unto the **CITY OF ROSWELL** ("Grantee") a temporary construction and maintenance easement of 784.08 Square Feet, and a permanent easement of 392.04 square feet all as indicated on the **RIGHT OF WAY MAP** attached hereto as Exhibit "A," for the purpose and uses hereinafter set forth, over, through and across the following lands, to-wit:

For construction and maintenance of a Sidewalk project designated as the **"Warsaw Road Sidewalk Connectivity Project No. 06TRA001,"** as indicated on the **RIGHT OF WAY MAP** prepared by **Mulkey Engineers and Consultants, dated 03-21-10**, attached hereto as Exhibit "A." Said easements are located in Land lot 525, 526, 539, 540, 563 Land District 1, GMD 845 as indicated in Exhibit "A" upon land more particularly described as:

Permanent R/W Tract:

From, a point of beginning at an existing right of way marker at coordinates N 1455803.350 E 2245786.31 (Horizontal Georgia Coordinate System of 1984): running thence N 24°38'14.95" E a distance of 12.38 feet to a point at coordinates N 1465814.603 E 2245791.471: thence north 106.816 feet along the arc of a curve (said curve having a radius of 865.454 and a chord distance of 106.748 feet on a bearing of N33°41'32.3242349") to a point at coordinates N 1465903.4169 E 2245850.6850: thence south 119.586 feet along the arc of a curve (said curve having a radius of 1138.00 feet and a chord distance of 119.531 on a bearing of S 30°19'26.0420468") to a point at coordinates N 1465800.2432 E 2245790.3375; thence N 52°21'23.1509479 a distance of 5.09 feet back to a point at coordinates N 1565800.2432 E 2245790.3375; thence N 52°21'23.1509479 a distance of 5.09 feet back to the point of beginning containing 0.009 acres more or less.

Construction and Maintenance Easement:

From an existing right of way marker at coordinates N 1465803.350 E 2245786.31 go a distance of 5.09 feet on a bearing S 52° 21' 23.15" to a point of beginning at coordinates N1465800.243 E 2245790.338 (Horizontal Georgia Coordinate System of 1984); running thence north 119.59 feet along the arc of a curve said curve having a radius of 1138.00 feet and a chord distance of 119.53 feet on a bearing of N 30° 19' 26.04" to a point at coordinates N 1465993.417 E 2245850.685; thence north 45.54 feet along the arc of a curve (said curve having a radius of 355.45 feet and a chord distance of 45.54 feet on a bearing of N 38° 44' 08.30") to a point at coordinates N 1465938.939 E 2245879.180; thence S 31° 36' 33.04" a distance of 165.00 feet to a point at coordinates N 14465798.420 E 2245792.711; thence N 52° 21' 23.15" a distance of 2.98 feet back to the point of beginning containing 0.018 acres more or less.

Landscape Maintenance

Grantee will at all times, after doing any work in connection with the construction, operation or repair of the construction and maintenance easement property, restore the surface of the property as close to the condition in which it was found before such work was undertaken as is reasonably practical. Any trees impacted and or shrubs will be replaced in kind and have a two year warranty from the date of installation.

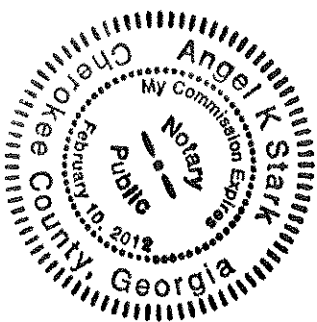
IN WITNESS WHEREOF, CAL L. ROHDA and GINA A. CARELLAS have signed and sealed and Grantee has accepted this Temporary Construction Easement and Permanent Easement this ____ day of _____, 2010.

CAL L. ROHDA,
(Grantor)

(Seal)

GINA A. CARELLAS
(Grantor)

(Seal)



Alphie A. Strubbe
Unofficial Witness

Angel K. Stark
Notary Public
My Commission Expires: 2-10-2012
Date: Aug 23, 2010

Attest: _____

ACCEPTED BY:

CITY OF ROSWELL
a Georgia municipal corporation
(Grantee)

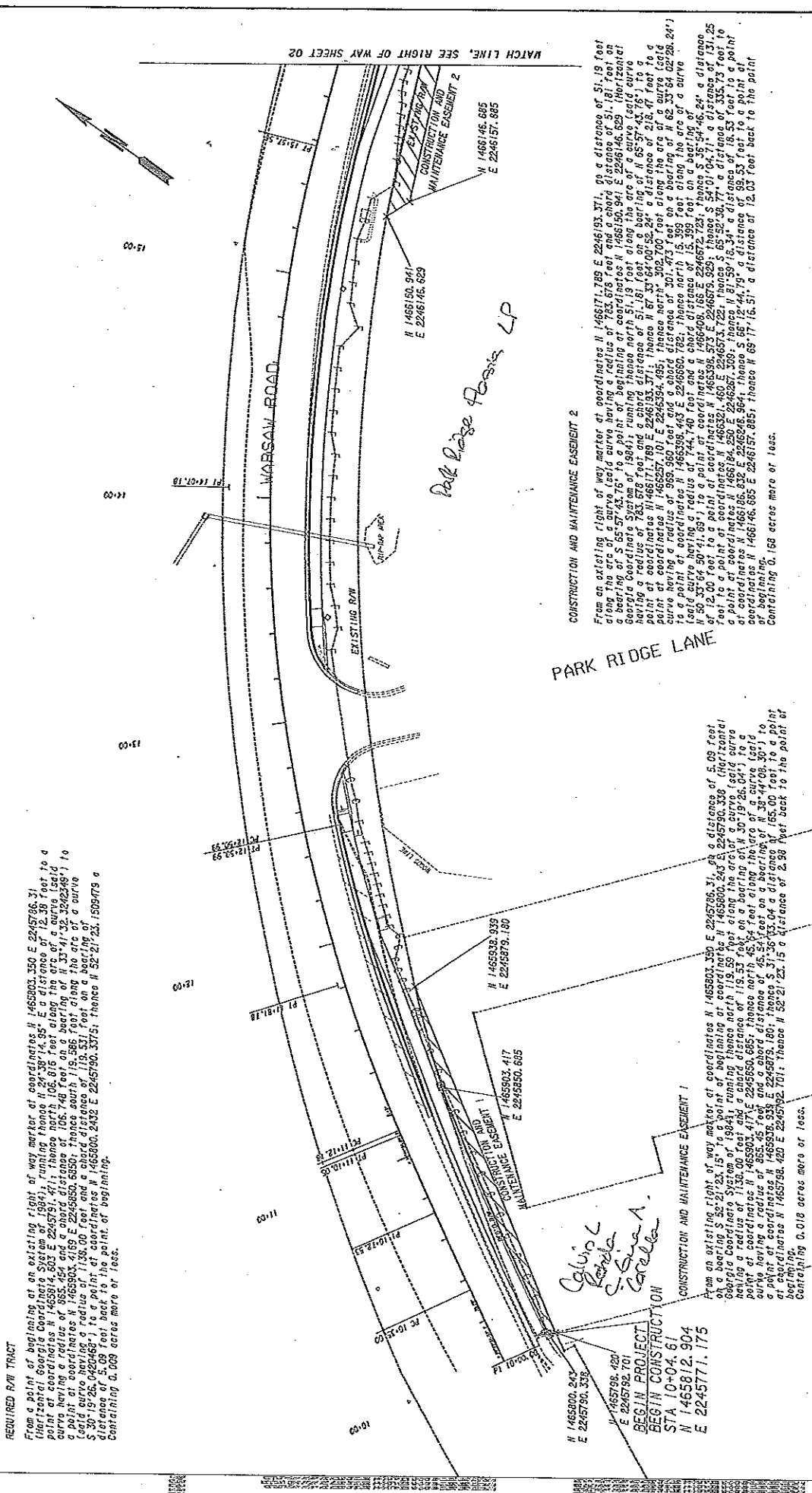
By: _____
(Seal)

Unofficial Witness

Title

Attest:

Notary Public
My Commission Expires: _____
Date: _____



PROPERTY AND EXISTING R/W LINE	DATE	REVISIONS
REQUIRED R/W LINE		
EASEMENT LIMITS		
CONSTRUCTION LIMITS		
EASEMENT FOR CONSTR		
EASEMENT FOR CONSTR OF SLOPES		
EASEMENT FOR CONSTR OF DRIVES		

CITY OF ROSWELL	DATE	REVISIONS
DEPARTMENT OF TRANSPORTATION		
PROJECT NO.		
COUNTY		
LAND DISTRICT		
DATE		

Exhibit "A" / w attached letter
 8/23/2000



August 23, 2010

Calvin Rohda
Gina Carellas
960 Warsaw Road
Roswell, Georgia 30075

RE: Agreement between the City of Roswell and Calvin Rohda & Gina Carellas for Warsaw Road sidewalk construction along "960 Warsaw Road parcel":

Dear Mr. Rohda and Ms. Carellas:

With respect to the above referenced project, the City agrees to the following:

1. Replace junipers graded/removed in areas further than 5' from the back of the proposed sidewalk; and sod all remaining graded areas. Property owner agrees to water and maintain the sod.
2. Sod all areas within 5' from the back of the existing sidewalk along the adjacent property on the south; and plant approximately 5 junipers in areas further away, pending permission from that parcel owner.
3. Modify sidewalk profile to minimize impact along 2 existing hardwood trees by matching the sidewalk grade to the ground elevation as much as possible; therefore minimizing the amount of earthwork around the trees. In addition, we will have the contractor install a tree protection fence around the two trees.

If you have further questions please contact Mr. Clyde Stricklin at 770-641-3780.

Sincerely,

Steven D. Acenbrak, P.E., LEED AP
Director, Department of Transportation

Cc: Clyde Stricklin
Deputy Director of Community Development