

AGENDA ITEM NUMBER: \_\_\_\_\_  
EDITION: \_\_\_\_\_

**DATE:** February 24, 2025

**TO:** HONORABLE GARNETT JOHNSON, MAYOR  
MEMBERS OF COMMISSION  
ALVIN MASON, CHAIRMAN,  
ENGINEERING SERVICES COMMITTEE

**THROUGH:** TAKIYAH DOUSE, INTERIM ADMINISTRATOR

**FROM:** HAMEED MALIK, PHD., PE  
DIRECTOR OF ENGINEERING

**SUBJECT:** CAPTAINS CORNER, PHASE 2, SUBDIVISION DEDICATION  
FILE REFERENCE: 23-005(A)3

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**CAPTION:** Approve the deed of dedications, maintenance agreements, and road resolutions submitted by the Engineering Department and the Augusta Utilities Department for Captains Corner, Phase 2.

**BACKGROUND:** The final plat for Captains Corner, Phase 2, was approved by the Commission on October 17, 2023. The subdivision design and plat for this section, including the storm drain system, have been reviewed and accepted by our engineering staff and the construction has been reviewed by our inspectors.

The Utilities Department has inspected and reviewed the water and sanitary sewer installations, and hereby requests acceptance of the utility deed.

**ANALYSIS:** This section meets all codes, ordinances and standards. Portions of this subdivision lie within the 100-year flood plain and wetlands, which are noted on the final plat.

Acceptance of said utility deed shall dedicate, as required, the water and sanitary sewer mains along with the applicable easements to Augusta, Georgia for operation and maintenance.

**FINANCIAL  
IMPACT:**

By accepting these roads and storm drainage installations into the County system and after the 18-month maintenance warranty by the developer/contractor for the road and storm drainage has expired, all future maintenance and associated costs will be borne by Augusta, Georgia.

By acceptance of the utility deed and maintenance agreement, all future maintenance and associated costs for water and sanitary sewer installations will be borne by Augusta, Georgia, and positive revenue will be generated from the sale of water and sanitary sewer taps and monthly billing of same.

**ALTERNATIVES:**

1. Approve the deeds of dedication, maintenance agreements, and road resolutions submitted by the Engineering and Augusta Utilities Departments for Captains Corner, Phase 2.
2. Do not approve and risk litigation.

**RECOMMENDATION:** Approve Alternative Number One.

**REQUESTED AGENDA DATE:** Commission Meeting March 4, 2025

**DEPARTMENT  
DIRECTOR:** \_\_\_\_\_

**FUNDS ARE AVAILABLE IN THE  
FOLLOWING ACCOUNTS:**

**DEPARTMENT  
DIRECTOR:** \_\_\_\_\_

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**ADMINISTRATOR:** \_\_\_\_\_

**FINANCE:** \_\_\_\_\_

HM/dh

Attachments

cc: Agenda File  
Main File  
Walt Corbin

# ENGINEERING DEPARTMENT

Hameed Malik, PhD., PE, Director


Plan & Review Section Manager


Richard A. Holliday, Sr. Lead Design Engineer

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## MEMORANDUM

**To:** Hameed Malik, P.E., PhD  
Director of Engineering

**Through:** Brett Parsons, Principal Engineer Land Development 

**From:** Richard A. Holliday, Lead Design Engineer 

**Date:** June 24, 2024

**Subject:** Certificate of Completion  
Dedication of Captains Corner, Phase 2  
File reference: 23-005(A3)


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A final inspection has been conducted on the above referenced development. This development meets the standards and specifications set forth in the Augusta-Richmond County Development Regulations Guidelines outlined in the Land Development and Stormwater Technical Manuals. The submitted Deed of Dedication and 18-Month Warranty Agreement reads appropriately, with the language in both documents meeting criteria for dedication of the roadway systems and drainage systems within. The final plat was previously accepted by the Commission on October 17, 2023. Therefore, these development dedication documents are ready to present to the Commission for acceptance into the City's infrastructure system.

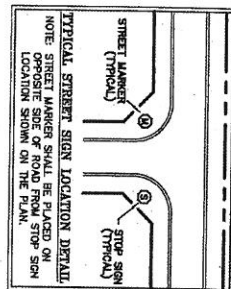
Thank you for your assistance on this matter. Please call if you have any questions or need additional information, 706-821-1706.

RAH

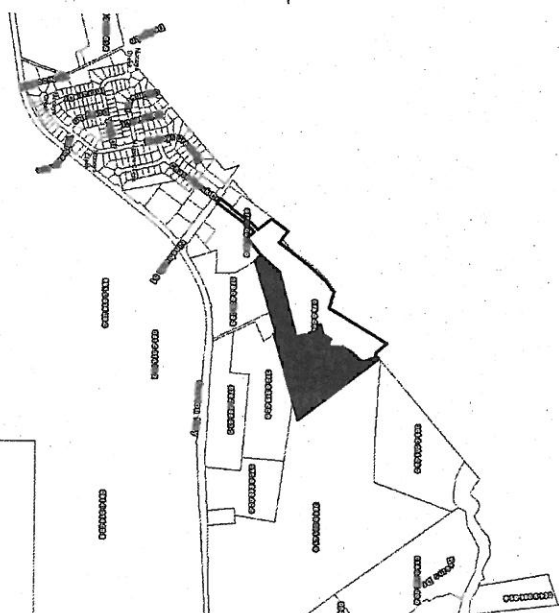
Attachment

cc: Walt Corbin, P.E., Engineering Manager   
Carla Delaney, Interim Director of Planning and Development  
Kevin Boyd, Development Services Manager  
File

LINE TABLE	
LINE	BEARING LENGTH
E10	S74.27.08"W 10.00'
E11	S74.27.08"W 10.01'
E12	N15.32.52"W 135.00'



**NOTES:** THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEY IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAN ACT O.C.G.A. 19-6-67.



E30	18.742 44 W	20.00
E31	18.615 24 W	15.44
E32	18.598 26 E	18.07
E33	18.589 28 W	21.36
E34	18.582 28 E	10.12
E35	18.580 29 W	20.00
E36	18.579 30 W	20.00
E37	18.581 30 W	20.00
E38	18.582 30 W	20.00
E39	18.582 30 W	13.65
E40	18.582 30 W	17.84
E41	18.582 30 W	10.00
E42	18.582 30 W	10.00
E43	18.582 30 W	10.00
E44	18.582 30 W	10.00
E45	18.582 30 W	10.00
E46	18.582 30 W	10.00
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E49	18.582 30 W	10.00
E50	18.582 30 W	10.00
E51	18.582 30 W	10.00
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E94	18.582 30 W	10.00
E95	18.582 30 W	10.00
E96	18.582 30 W	10.00
E97	18.582 30 W	10.00
E98	18.582 30 W	10.00
E99	18.582 30 W	10.00
E100	18.582 30 W	10.00

	LINE TABLE			CHORD TABLE		
	LINE	BEARING	LENGTH	CHORD	DELTA	BEARING
01	1	N 74.77 06 E	1444.032	148.98	553.55 18 E	148.98
02	2	N 67.06 32 W	279.02	94.37 00	N 28.10 00 W	142.12
03	3	N 16.06 32 W	264.31	142.12	N 28.10 00 W	212.13
	4	S 73.35 08 W	143.76			
	5	N 47.77 06 E	559.57			

DATE 10/6/23

SURVEYORS' CERTIFICATION. AS REQUIRED BY SUBSECTION (c) SECTION 15-6-07, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAN, OR PLAN HAS BEEN APPROVED FOR FILING IN THE OFFICE OF THE REGISTERED LAND SURVEYOR BY THE BOARD OF LAND SURVEYING, EITHER WRITING BY ANY AND ALL APPLICABLE MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

G.F. "BOB" SLAUGHTER GEORGIA REGISTERED LAND SURVEYOR 261

DATE \_\_\_\_\_

**SHEET 1**



## CAPTAINS CORNER PHASE 2

PROPERTY LOCATED OFF E ROBINSON AVE

SCALE: 1" = 50'

AUGUSTA, GEORGIA  
AUGUST 2, 2023

**JAMES G. SWIFT & ASSOCIATES**

1206 INTERSTATE PARKWAY -- AUGUSTA, GA. -- 30909

CAPT\_CONVERT-2-UMP

APPROVED FINAL PLAT  
(Not valid until signed)

Richmond County Planning

Date Approved: 10/2/2023

Chairman  
Secretary

APPROVED FINAL PLAY

AUGUSTA COMMISSION

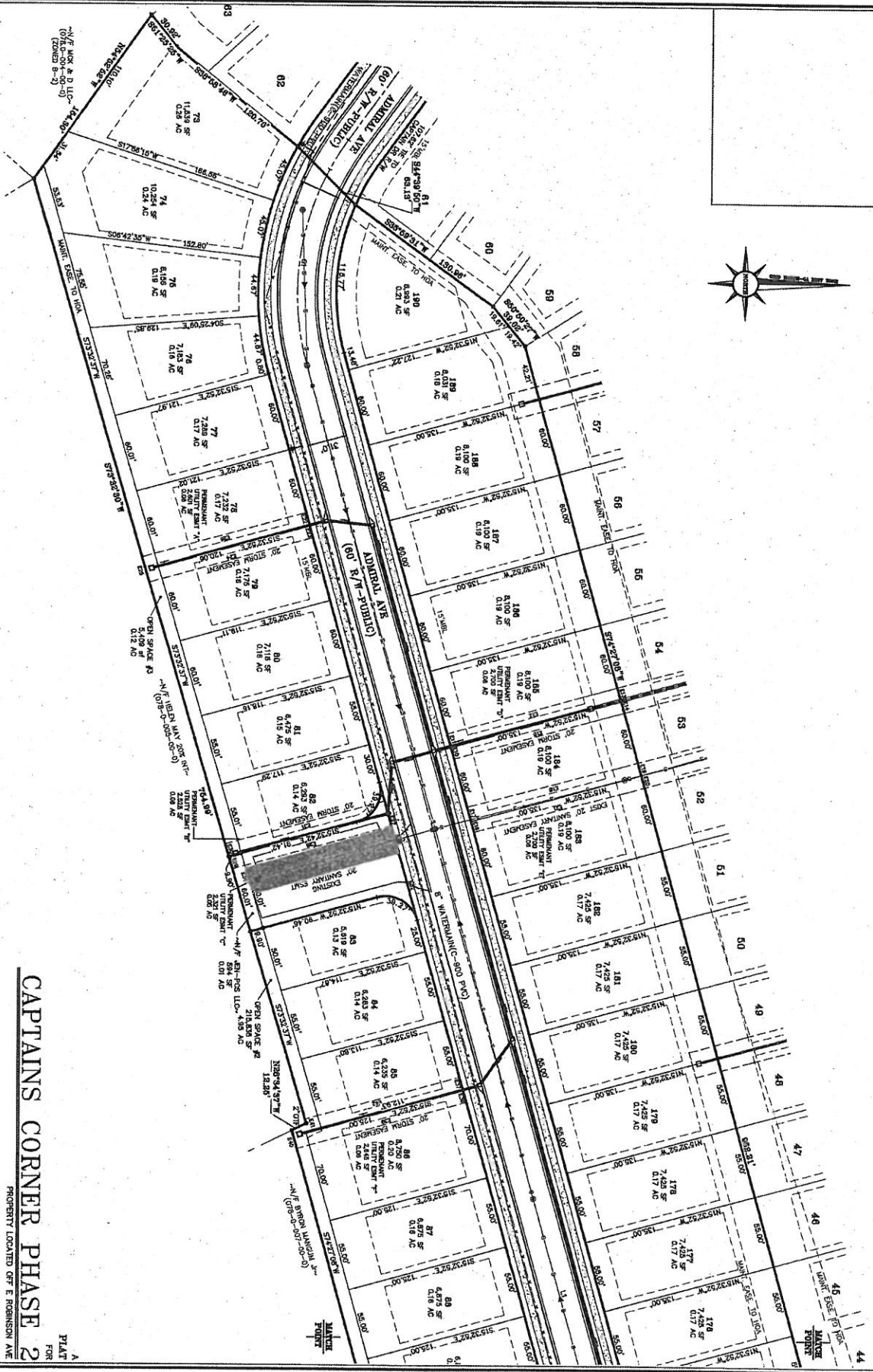
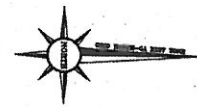
DATE APPROVED \_\_\_\_\_

Chief of Police  
City of New York  
City of New York

OWNER/ DEVELOP/ ARCHITECT/ APPLICANT, GA 30062 EMAIL: rpowell@bouldersurf.com	PROJECT DATA	30.6 AC. 103 LOTS
PRESIDENT ZONING		R-1D
AREA		
TOTAL LOTS		
PHONE: 078-0-004-03-0		
DESIGN ENGINEER:		
CIVIL/DESIGN SOLUTIONS 4701 SOUTH E SUITE 100 P.O. BOX 803 WARRINGTON, GA 30088 EMAIL: CIVIL@DESIGNSOLUTIONS.NET		
SURVEYOR:		
MATTHEW S. SMITH & ASSOCIATES 300 S.E. 70TH BLVD SUITE 100 AUGUSTA, GA 30909 EMAIL: BOLDERSURF.COM		

As required by subsection (d) of O.C.G.A. Section 15-6-87,<sup>1</sup> this plot has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording. Such approvals include certificates, affidavits, stamps, or statements from the appropriate governmental entities, such as the county board of commissioners, on behalf of the relevant governmental bodies by any purchaser or user of this plot so as to insure compliance with the minimum technical standards for property surveys that this act establishes. The rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.





# CAPTAINS CORNER PHASE 2

PROPERTY LOCATED OFF E. ROBINSON AVE

AUGUSTA, GEORGIA

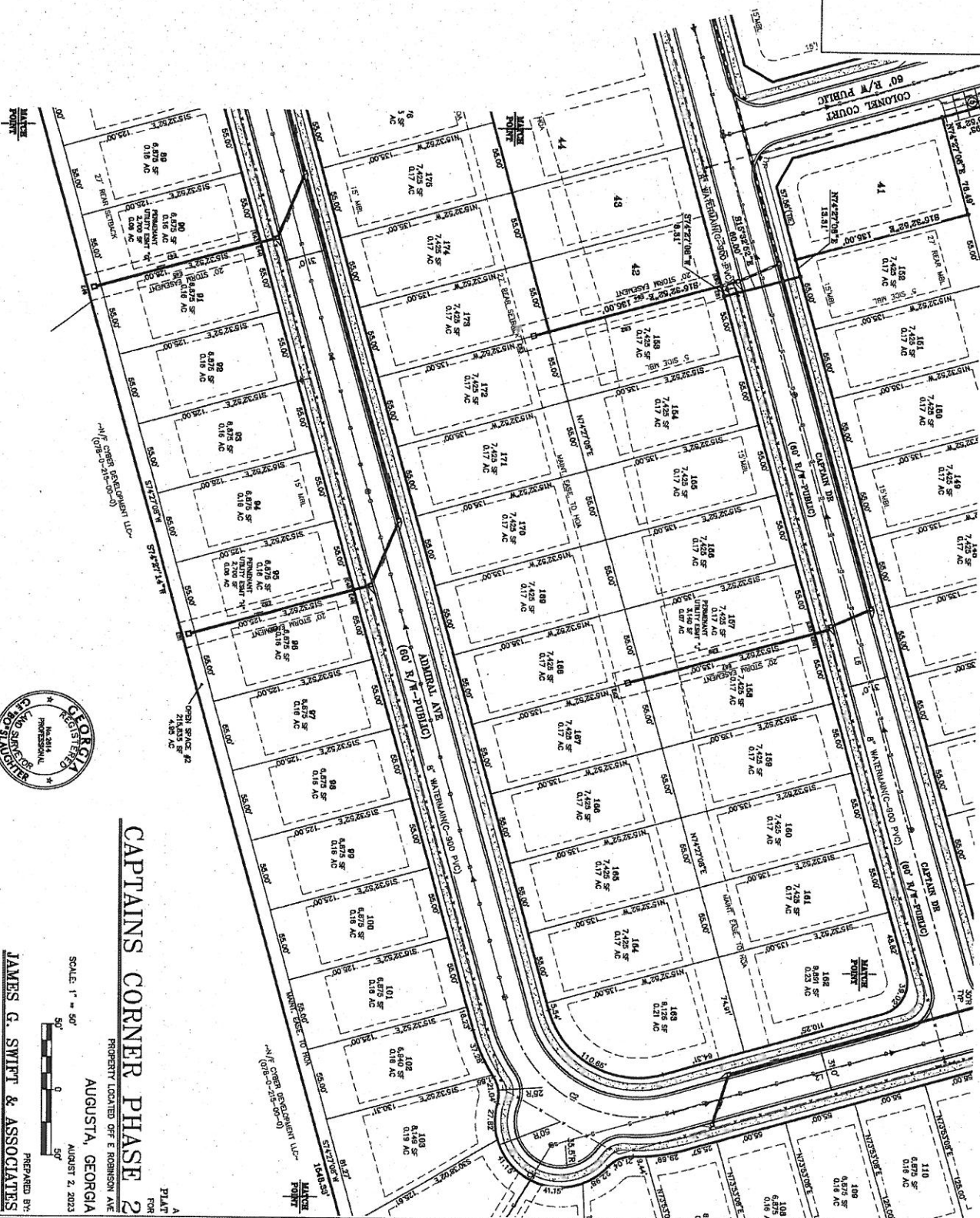
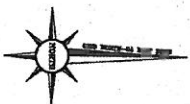
SCALE 1" = 50'



PREPARED BY:  
 JAMES G. SWIFT & ASSOCIATES  
 CONSULTING ENGINEERS

1206 INTERSTATE PARKWAY - AUGUSTA, GA. - 30909  
 Phone: (706) 888-8803

DAT: JAMES G. SWIFT



## CAPTAINS CORNER PHASE 2

PROPERTY LOCATED OFF E ROBINSON AVE

AUGUSTA, GEORGIA

SCALE: 1" = 50'

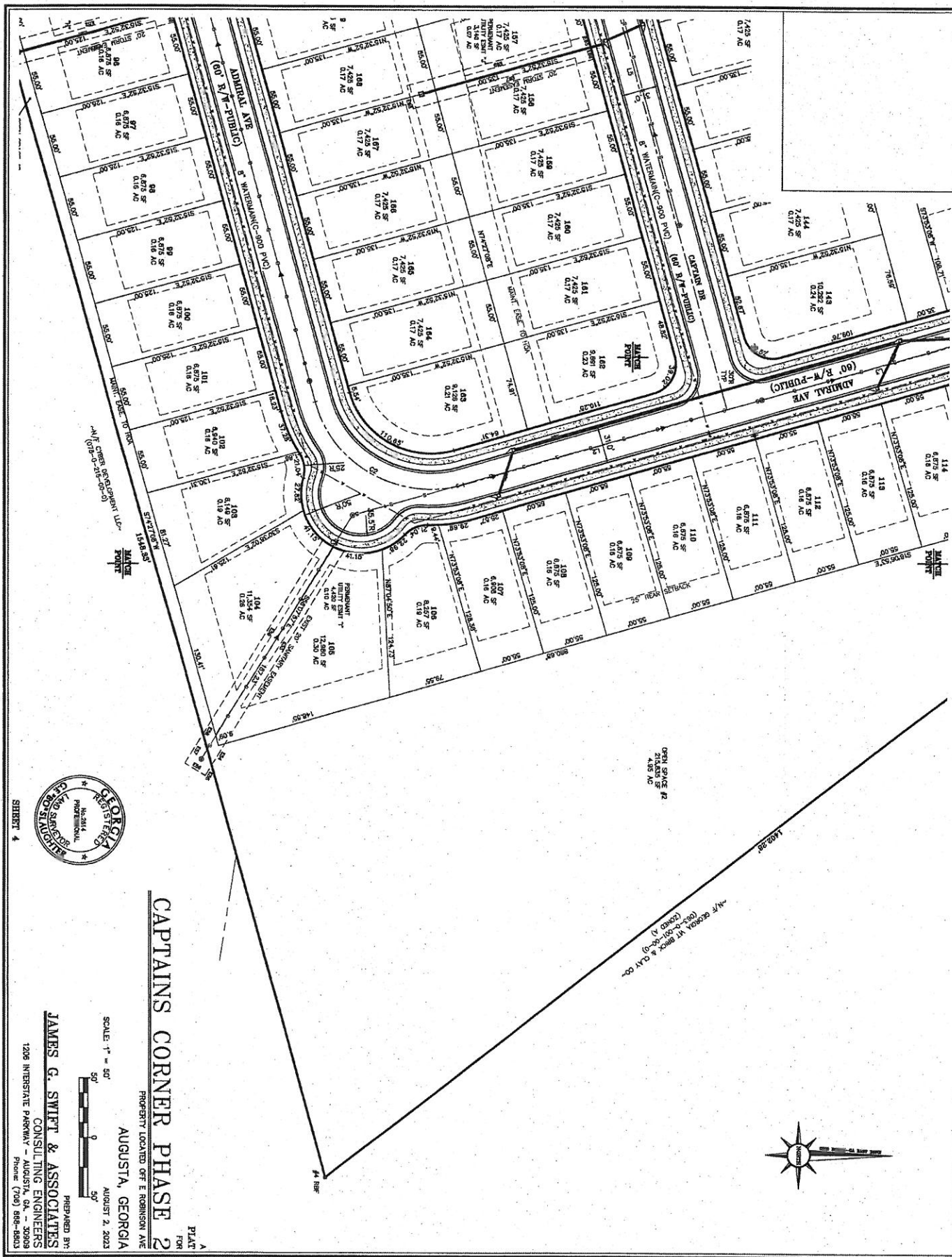
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PREPARED BY

CONSULTING ENGINEERS

Phone: (706) 868-8803

CAPT-CORNER-2-DVP



# CAPTAINS CORNER PHASE 2

PLAT B: 19 P: 14

PROPERTY LOCATED OFF E. ROBINSON AVE  
 AUGUSTA, GEORGIA

SCALE: 1" = 50'



PREPARED BY:  
 JAMES G. SWIFT & ASSOCIATES  
 CONSULTING ENGINEERS

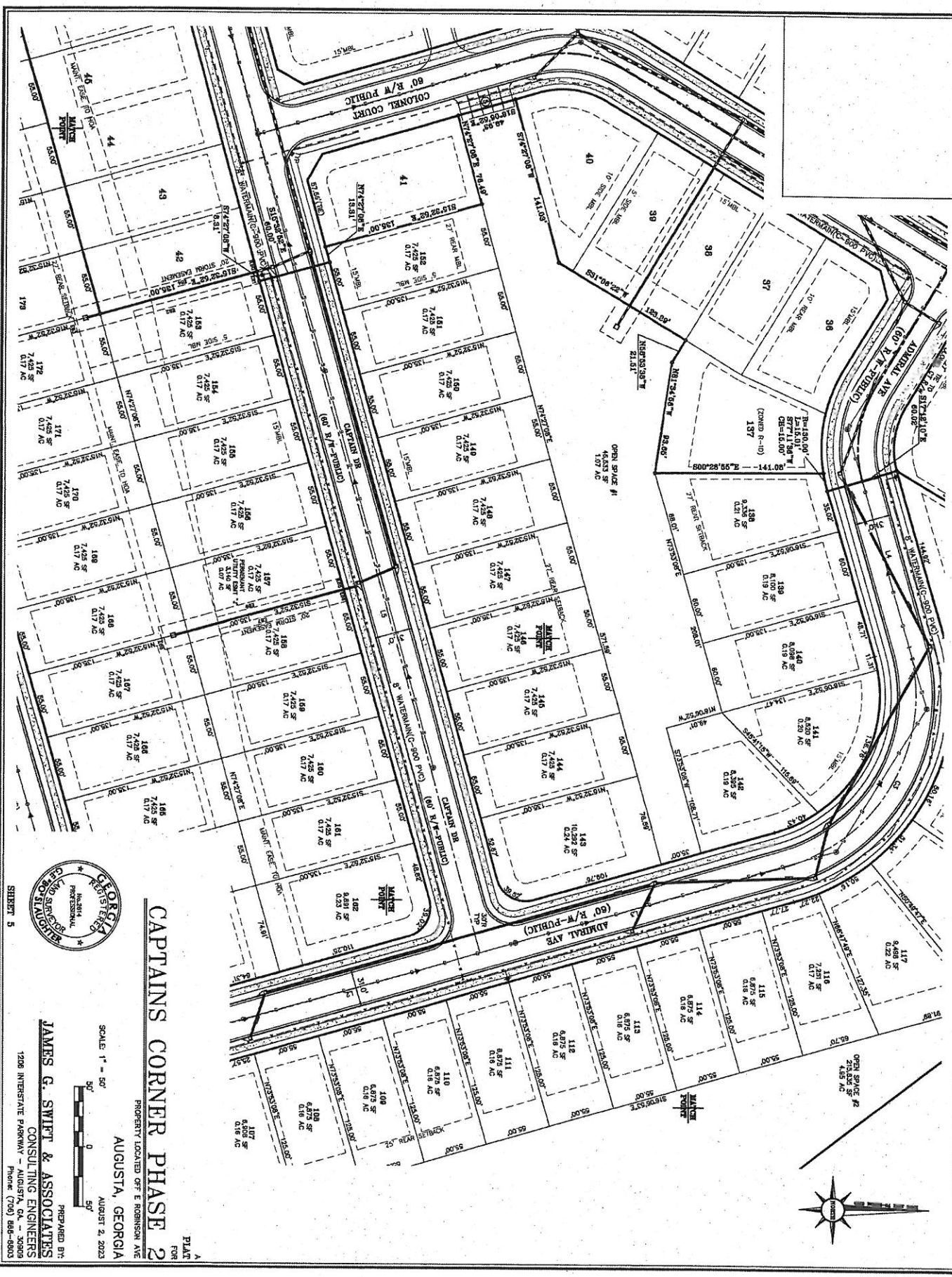
1206 INTERSTATE PARKWAY - AUGUSTA, GA. - 30609  
 PHONE: (706) 886-1883



SHEET 4

CAD: CORNER 2-01A





# CAPTAINS CORNER PHASE 2

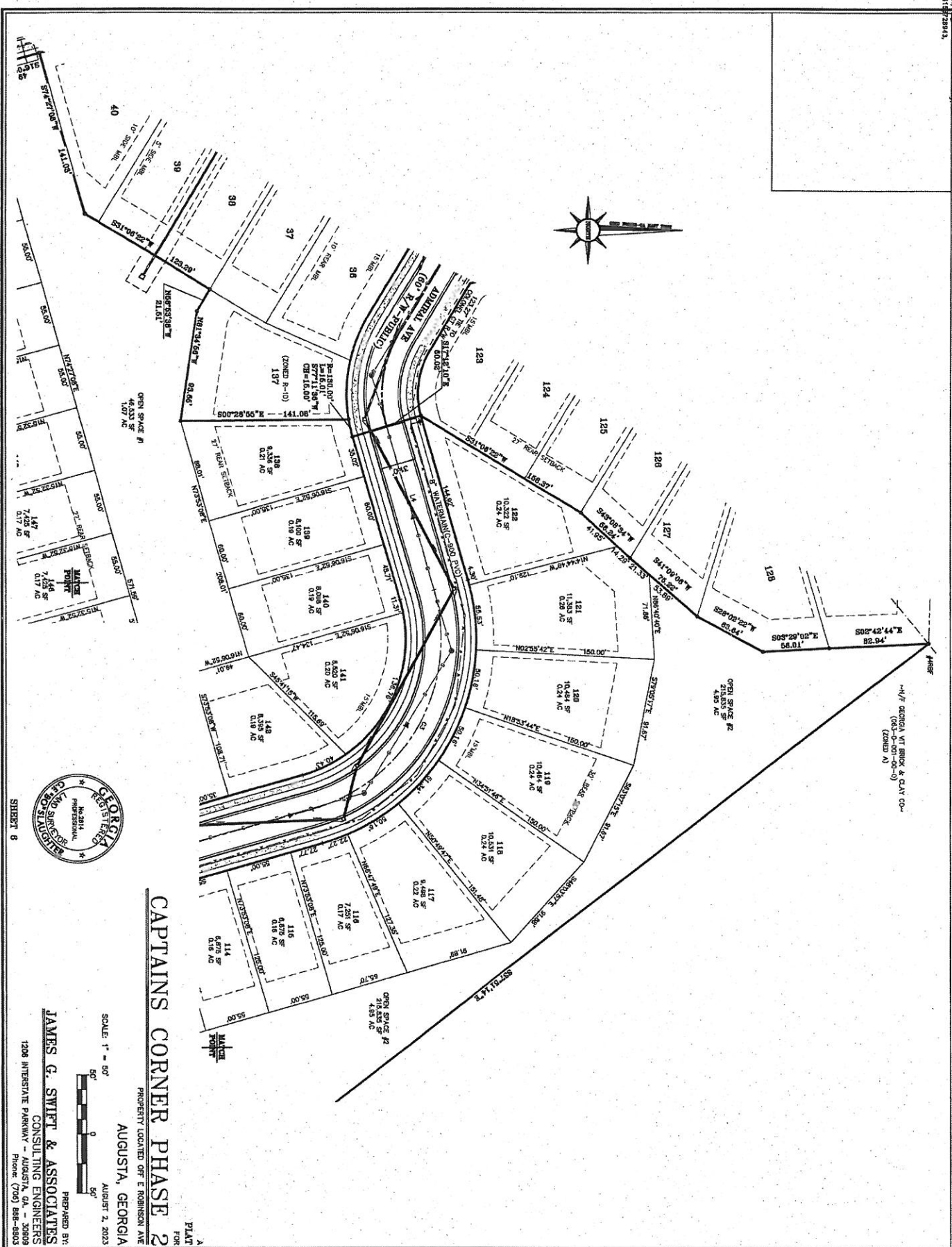
PROPERTY LOCATED OFF E ROBINSON AVE  
 AUGUSTA, GEORGIA  
 AUGUST 2, 2023

PREPARED BY:  
 JAMES G. SWIFT & ASSOCIATES  
 CONSULTING ENGINEERS  
 1226 INTERSTATE PARKWAY - AUGUSTA, GA - 30909  
 PHONE: (706) 888-8800



SHEET 5

CPT L000012-004



**CAPTAINS CORNER PHASE 2**  
 PROPERTY LOCATED OFF E ROBINSON AVE  
 AUGUSTA, GEORGIA  
 AUGUST 2, 2023  
 SCALE: 1" = 50'  
 PREPARED BY:  
**JAMES G. SWIFT & ASSOCIATES**  
 CONSULTING ENGINEERS  
 1208 INTERSTATE PARKWAY - AUGUSTA, GA - 30609  
 Phone: (706) 888-0800  
 OFF: CORNER 2-014



Return To:  
Augusta Engineering  
452 Walker Street, Suite  
Augusta, Georgia 30901  
Attn: Diane Hilliard

STATE OF GEORGIA                    )  
  )  
COUNTY OF RICHMOND            )

DEED OF DEDICATION  
CAPTAINS CORNER, PHASE 2  
Roads and Storm System

THIS INDENTURE, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between **Jen-PCS, LLC**, a Georgia limited liability company, hereinafter referred to as the Party of the FIRST PART, and **AUGUSTA, GEORGIA**, a political subdivision of the State of Georgia, acting by and through the Augusta Commission, hereinafter referred to as the Party of the SECOND PART.

WHEREAS, **D. R. HORTON, INC.**, a corporation established under the laws of the State of Delaware, hereinafter referred to as "HORTON", joins in this Deed of Dedication as Owner of certain lots within the Subdivision, as evidenced by that certain Limited Warranty Deed dated November 22, 2023, and recorded in Deed Book 1908, Pages 1576-1579, Aforesaid Records; and

WITNESSETH:

THAT the said Party of the FIRST PART, for and in consideration of the sum of One Dollar (\$1.00) in cash to it in hand paid by the Party of the SECOND PART, the receipt of which is hereby acknowledged, at and/or before the sealing and delivery of these presents, and other good and valuable considerations, has granted, bargained, sold, released, conveyed and confirmed and by these presents does grant, bargain, sell, release, convey and confirm unto the said Party of the SECOND PART, its successors and assigns, the following described property, to-wit:

All right, title and interest of the parties of the FIRST PART in and to the roads, storm sewer system, **excluding detention pond**, as the same are now located within a certain 60' R/W and additional drainage and utility easements shown and delineated on the plat titled CAPTAINS CORNER, PHASE 2 , as prepared by James G. Swift & Associates, dated August 2, 2023, as recorded in the Office of the Clerk of Superior Court of Richmond

County, Georgia, in Plat Book # 19, Page # 11-16; reference being hereby made to said plat for a more complete and accurate description as to the metes, courses, bounds, dimensions and location of said property. **The detention pond is to remain private.**

TOGETHER with all of the necessary rights of ingress and egress for the purpose of maintaining the described storm sewer system.

TOGETHER with all that lot or parcel of land shown and designated as "Captain Drive" and "Admiral Avenue" - 60' R/W; on the plat CAPTAINS CORNER, PHASE 2, as prepared by James G. Swift & Associates, dated August 2, 2023, as recorded in the Office of the Clerk of Superior Court of Richmond County, Georgia, in Plat Book # 19, Page # 11-16; reference being hereby made to said plat for a more complete and accurate description as to the metes, courses, bounds, dimensions and location of said property.

TOGETHER with an easement to enter upon all areas shown as water system easements, drainage and utility easements shown on said plat.

TO HAVE AND TO HOLD SAID roads and easements together with all and singular, the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, its successors and assigns, forever in FEE SIMPLE.

IN WITNESS WHEREOF, the said Party of the FIRST PART has caused these presents to be executed the day and year first above written as the date of these presents.

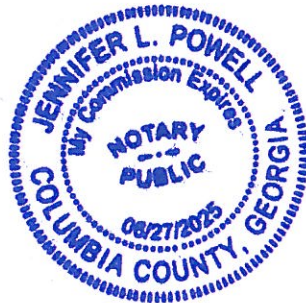
SIGNED, SEALED AND DELIVERED  
in our presence:

*Richard J. Galambos*  
Witness  
*Jennifer L. Powell*  
Notary Public, Georgia  
(SEAL)

Jen-PCS, LLC in our presence:

By: *Kevin W. Powell*

As its: *Managing Member*  
Member Title



Signed, sealed and delivered in the presence  
of:

Jan P.  
Unofficial Witness

**D. R. HORTON, INC.**, a Delaware  
corporation

Sherry L. Allen  
Notary Public

By: [Signature]

Name: SHAWN TOKANEL

Title: VICE PRESIDENT

(NOTARIAL SEAL)  
My Commission Expires  
09/28/2026



ACCEPTED BY:

**AUGUSTA, GEORGIA**, a political subdivision of the State of Georgia, acting by and through  
the Augusta-Richmond County Commission

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its: Mayor

Attest: \_\_\_\_\_  
Lena Bonner  
As Its: Clerk of Commission

(SEAL)

Return To:  
Augusta Engineering  
452 Walker Street, Suite  
Augusta, Georgia 30901  
Attn: Diane Hilliard

STATE OF GEORGIA                    )  
  )  
COUNTY OF RICHMOND            )

**MAINTENANCE AGREEMENT**  
**CAPTAINS CORNER, PHASE 2**  
**Roads and Storm System**

THIS AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between **Jen-PCS LLC**, hereinafter referred to as "Developer," and **AUGUSTA, GEORGIA**, a political subdivision of the State of Georgia, acting by and through its Commission, hereinafter referred to as "Augusta."

WHEREAS, Developer requested that Augusta, accept all or a portion of certain roads, storm drains, **excluding detention pond**, and appurtenances for Captain Drive (60' R/W) and Admiral Avenue (60' R/W), as shown by a PLAT, titled Captains Corner, Phase 2, contemporaneously tendered and recorded in the Office of the Clerk of the Superior Court of Richmond County, Georgia, in Plat Book # 19, Page # 11-16; and

WHEREAS, the City has adopted a policy requiring the Developer to maintain all installations laid or installed in the subdivision for a period of eighteen months, which Augusta accepts by Deed of Dedication;

NOW, THEREFORE, in consideration of the premises, the expense previously incurred by Developer and the mutual agreements hereinafter set out, **IT IS AGREED** that:

(1) Augusta, Georgia, accepts the roads and appurtenances, storm drains and appurtenances, **excluding detention ponds**, as respectfully described in the Plat, contemporaneously tendered herewith to the Augusta, Georgia, Commission, recorded in the office of the Clerk of the Superior Court of Richmond County, Georgia, in Plat Book # 19, page # 11-16.

(2) The Developer agrees to maintain all the installations laid or installed in said subdivision as described in the Deed of Dedication for a period of eighteen months from the date of the Commission's approval herein. **The detention pond is to remain private.**

(3) The Developer agrees that if during said eighteen-month period there is a failure of the installations laid or installed in said subdivision described in the said Deed due to failure of material or poor workmanship, the Developer shall be responsible for adequate maintenance and repair.

(4) In the event of such failure of the improvements, Augusta shall notify the Developer and set forth in writing the items in need of repair. The Developer shall present within fifteen business days its proposed plan of repair as well as an expected time frame to have the repairs completed. After notification from the site contractor, Augusta will then re-inspect the work for acceptance and approval. If necessary, the eighteen-month period may be extended, as determined by Augusta.

(5) In the event of an emergency, as determined by Augusta, the Developer is unable to respond in a timely manner, Augusta shall be authorized to erect barricades, traffic direction devices and such other temporary measures as are necessary to remedy the emergency nature of the problem at the Developer's expense and to allow the Developer time to make the needed repairs.

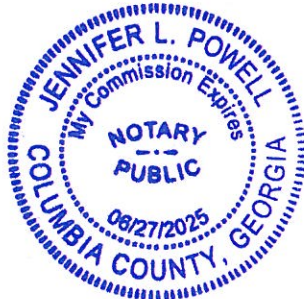


(6) In the event the Developer fails to comply with the terms of this agreement, then Augusta shall proceed to have the necessary corrective work done, and the Developer agrees to be responsible to Augusta for payment in full of costs of repairing the improvements due to failure of material or poor workmanship as liquidated damages.

IN WITNESS WHEREOF, Developer has hereunto set his hand and seal, and Augusta has caused the execution of this agreement by and through its duly authorized officers and agents, with its seal affixed, the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in our presence:

Jessica P. Grayson  
Witness  
Jennifer L. Powell  
Notary Public, Georgia  
(SEAL)



**Jen-PCS, LLC**

By: Andrew Powell

As its: Managing Member  
Title

ACCEPTED BY:

AUGUSTA, GEORGIA

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its: Mayor

Attest: \_\_\_\_\_  
Lena Bonner  
As Its: Clerk of Commission  
(SEAL)

Return to:  
Augusta Engineering Department  
452 Walker Street Ste 110  
Augusta, GA 30901  
Attn: Diane Hilliard

SUBDIVISION: CAPTAINS CORNER, PHASE 2

RESOLUTION ADDING ROAD TO THE  
AUGUSTA-RICHMOND COUNTY ROAD SYSTEM

WHEREAS, Captain Drive is an existing road in Richmond County, Georgia, open to public usage; and

WHEREAS, Augusta, Georgia desires to make Captain Drive a part of its County Road System.

NOW, THEREFORE, BE IT RESOLVED by the Augusta Commission of Augusta, Georgia, that Captain Drive is hereby added to its official County Road System of Record, being described as follows and as shown on the attached sketch map or plat showing the approximate alignment and location of said Road.

- (a) Points of beginning and ending:

Beginning at existing Captain Drive

Extending NE, approx. 590.0 ft to Admiral Avenue

- (b) Length of road to nearest 1/100th mile:

0.11 mile

- (c) Width & type of road surface:

31 feet from back of curb to back of curb;  
Type E asphalt

- (d) Right-of-Way:

60 foot

The Augusta Commission is hereby directed to forward a certified copy of this resolution to: Georgia Department of Transportation, Road Inventory Section District 2, Post Office Box 8, Tennille, Georgia 31089.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ACCEPTED BY:

AUGUSTA, GEORGIA

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its Mayor

\_\_\_\_\_  
Notary Public  
State of Georgia, County of \_\_\_\_\_

Attest: \_\_\_\_\_  
Lena Bonner  
As Its Clerk of Commission

My Commission Expires: \_\_\_\_\_

(SEAL)

(Notary Seal)

Return to:  
Augusta Engineering Department  
452 Walker Street Ste 110  
Augusta, GA 30901  
Attn: Diane Hilliard

SUBDIVISION: CAPTAINS CORNER, PHASE 2

RESOLUTION ADDING ROAD TO THE  
AUGUSTA-RICHMOND COUNTY ROAD SYSTEM

WHEREAS, Admiral Avenue is an existing road in Richmond County, Georgia, open to public usage; and

WHEREAS, Augusta, Georgia desires to make Admiral Avenue a part of its County Road System.

NOW, THEREFORE, BE IT RESOLVED by the Augusta Commission of Augusta, Georgia, that Admiral Avenue is hereby added to its official County Road System of Record, being described as follows and as shown on the attached sketch map or plat showing the approximate alignment and location of said Road.

- (a) Points of beginning and ending:

Beginning at existing Admiral Avenue

Extending NE, NW, then SW approx. 2663.11 ft to existing Admiral Avenue

- (b) Length of road to nearest 1/100th mile:

0.50 mile

- (c) Width & type of road surface:

31 feet from back of curb to back of curb;  
Type E asphalt

- (d) Right-of-Way:

60 foot

The Augusta Commission is hereby directed to forward a certified copy of this resolution to: Georgia Department of Transportation, Road Inventory Section District 2, Post Office Box 8, Tennille, Georgia 31089.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ACCEPTED BY:

AUGUSTA, GEORGIA

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its Mayor

\_\_\_\_\_  
Notary Public  
State of Georgia, County of \_\_\_\_\_

Attest: \_\_\_\_\_  
Lena Bonner  
As Its Clerk of Commission

My Commission Expires: \_\_\_\_\_

(SEAL)

(Notary Seal)



**STATE OF GEORGIA**

**COUNTY OF RICHMOND**

**EASEMENT DEED OF DEDICATION**  
**Water and Gravity Sanitary Sewer Systems**  
**CAPTAINS CORNER, PHASE 2**

WHEREAS, **JEN-PCS, LLC**, a limited liability company established under the laws of the State of Georgia, hereinafter referred to as "**JEN-PCS**", owns a tract of land in Augusta, Georgia, located on the north side of Gordon Highway, on Captain Drive, which is off of East Robinson Avenue, and **JEN-PCS** has developed a residential subdivision known as Captains Corner, Phase 2, (the "Subdivision") as shown on that certain plat of Captains Corner, Phase 2, prepared by James G. Swift & Associates, dated August 2, 2023, approved by the Augusta-Richmond County Planning Commission on October 2, 2023, by the Augusta Commission on October 17, 2023, and recorded on October 30, 2023, in Plat Book 19, Pages 11-16, in the office of the Clerk of the Superior Court of Richmond County, Georgia, (the "Plat"). Reference is hereby made to the Plat for a more complete and accurate description as to the land herein described; and

WHEREAS, **D. R. HORTON, INC.**, a corporation established under the laws of the State of Delaware, hereinafter referred to as "**HORTON**", joins in this Deed of Dedication as owner of certain lots within the Subdivision, as evidenced by that certain Limited Warranty Deed dated November 22, 2023, and recorded in Deed Book 1908, Pages 1576-1579, aforesaid Records; and

WHEREAS, as shown and depicted on the Plat, the Subdivision has been developed with a water distribution system and gravity sanitary sewerage system; and

WHEREAS, it is the desire of **JEN-PCS** and **HORTON** to deed the water distribution system and the gravity sanitary sewer system, to **AUGUSTA, GEORGIA**, a political subdivision established under the laws of the State of Georgia, (hereinafter known as "**AUGUSTA**"), acting by and through the Augusta Commission, for maintenance and control; and

WHEREAS, **AUGUSTA**, by and through the Augusta Commission, has consented and agreed to accept and maintain said water distribution system and gravity sanitary sewerage system; and

WHEREAS, JEN-PCS and HORTON have agreed that neither AUGUSTA, nor any of its departments, shall maintain individual force mains and/or grinder pumps and that all said individual force mains and/or grinder pumps shall remain private;

NOW, THEREFORE, this indenture is made this \_\_\_\_ day of \_\_\_\_\_ 2024, between JEN-PCS and HORTON, as Grantor and AUGUSTA, as Grantee:

**WITNESSETH:**

THAT JEN-PCS, its successors, assigns and legal representatives, and HORTON, its successors, assigns and legal representatives, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), to it in hand well and truly paid by AUGUSTA, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged and for the further consideration of the benefits to its property by the maintenance of said water distribution system and gravity sanitary sewerage system, by AUGUSTA, has and does by these presents, grant, bargain, sell and confirm unto AUGUSTA, its successors, assigns and legal representatives, the following, to-wit:

Exclusive twenty-foot (20') easement(s) (unless otherwise noted), in perpetuity, centered over the water distribution system and gravity sanitary sewerage system, as laid out in the aforementioned plat.

All easements are granted together with all of the necessary rights of ingress and egress for the purpose of maintaining, expanding, repairing, adding, constructing, installing, extending, operating, replacing, laying and relaying pipelines carrying and transporting AUGUSTA's utility services; along with the further right to stretch communication lines, or other lines, for the use of AUGUSTA, its assigns, representatives, agents, and designees, upon or under said land, within said easement, with the necessary cables, wires, apparatus, fixtures and appliances; and with the right to assign this easement in whole or in part; and

JEN-PCS and HORTON also grant AUGUSTA the right, but not the duty, to clear and keep clear, all trees, undergrowth and other obstructions from said permanent easements, along with the non-exclusive right of ingress and egress to and from said permanent easements for this purpose.

JEN-PCS and HORTON further agree that no trees or other vegetation that may interfere with the laying, relaying, installing, extending, operating, repairing and maintaining of

pipelines transporting and carrying utility services shall be planted on said easement(s) and that no buildings, structures, or other permanent improvements shall be erected, constructed, or maintained thereon.

TO HAVE AND TO HOLD said water distribution system and gravity sanitary sewerage system, together with all and singular, the rights, members, appurtenances thereof to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of AUGUSTA, its successors and assigns forever.

IN WITNESS WHEREOF, JEN-PCS and HORTON have hereunto set their hands and affixed their seals the day and year first above written.

JEN-PCS, LLC

Donna S. Christian  
Witness

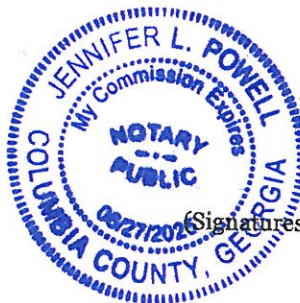
By: Ronald Powell  
Ronald Powell

As Its: President and Owner

Jennifer L. Powell  
Notary Public

State of Georgia, County of Columbia

My Commission Expires: 06/27/2025



(Signatures continued on next page.)

Sushan Lee  
Witness

K. Fhl.  
Notary Public

State of Georgia, County of Fulton.  
My Commission Expires 7/28/24  
(Notary Seal)



D. R. HORTON, INC.,  
a Delaware corporation

By: Shamyl Maher  
Shamyl Maher

As Its: Vice-President

Attest: [Signature]

Printed Name: John C. Johnston

As Its: VICE PRESIDENT

(Corporate Seal)



(Signatures continued on next page.)

ACCEPTED:

AUGUSTA, GEORGIA

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its Mayor

\_\_\_\_\_  
Notary Public  
State of Georgia, County of \_\_\_\_\_

Attest: \_\_\_\_\_  
Lena Bonner  
As Its Clerk of Commission

My Commission Expires: \_\_\_\_\_

(SEAL)



STATE OF GEORGIA

COUNTY OF RICHMOND

**MAINTENANCE AGREEMENT**  
**CAPTAINS CORNER, PHASE 2**  
Water Distribution System and Gravity Sanitary Sewer System

THIS AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between **JEN-PCS, LLC**, a limited liability company established under the laws of the State of Georgia, hereinafter referred to as "DEVELOPER", and **AUGUSTA, GEORGIA**, a political subdivision established under the laws of the State of Georgia, acting by and through the Augusta Commission, hereinafter referred to as the "AUGUSTA":

WITNESSETH

WHEREAS, DEVELOPER has requested that AUGUSTA accept the water distribution system and the gravity sanitary sewer system, for the subdivision known as CAPTAINS CORNER, PHASE 2, as shown by a Deed of Dedication, contemporaneously tendered and recorded in the office of the Clerk of the Superior Court of Richmond County, Georgia, with this document; and

WHEREAS, AUGUSTA has adopted a policy requiring that DEVELOPER maintain those installations and systems laid or installed in the subdivision, for a certain length of time. In this instance, AUGUSTA and DEVELOPER have agreed that that certain length of time shall be for a period of three (3) years from the date first written above;

NOW, THEREFORE, in consideration of the premises, the expense previously incurred by DEVELOPER and the mutual agreement hereinafter set out, IT IS AGREED that:

(1) AUGUSTA accepts the water distribution system and gravity sanitary sewer main for the subdivision, respectively described in the Deed contemporaneously tendered herewith to the Augusta Commission and that said water distribution system and gravity sanitary sewer system were duly inspected by the Augusta Utilities Department and said systems did pass said inspection.

(2) DEVELOPER agrees to maintain all the installations laid or installed in said subdivisions as described in said Deed for a period of three (3) years from the date of the acceptance of said Deed of Dedication by the Augusta Commission.

(3) DEVELOPER agrees that, if during said three (3) year period, there is a failure of the installations laid or installed in said subdivisions described in the Deed due to failure or poor workmanship, DEVELOPER shall be responsible for adequate maintenance and repair.

(4) DEVELOPER further agrees that if there is a failure, as described in Paragraph number three (3), and this failure occurs within any of the paved rights-of-way, or any other paved area, DEVELOPER will be solely responsible for repaving said area.

(5) In the event of such failure of the improvements, AUGUSTA shall notify DEVELOPER and set forth in writing the items in need of repair. DEVELOPER shall present, within fifteen (15) business days of the date of said writing, its proposed plan of repair and shall have the repairs completed in a reasonable time, as determined by AUGUSTA.

(6) If, in the event of an emergency, as determined by AUGUSTA, DEVELOPER is unable to respond in a timely manner, AUGUSTA shall be authorized to erect barricades, and/or traffic direction devices and such other temporary measures as are necessary to remedy the emergency nature of the problem, at DEVELOPER'S expense and allow DEVELOPER time to make the needed repairs in a reasonable time, as determined by AUGUSTA.

(7) In the event DEVELOPER fails to perform such repairs as indicated in paragraph (5) and/or paragraph (6) within the designated timeframe, then AUGUSTA shall proceed to have the necessary corrective work done, and DEVELOPER agrees to be responsible to AUGUSTA for payment, in full, of the costs of repairing the improvements due to failure of material or poor workmanship as liquidated damages.

(8) This Agreement shall terminate three (3) years after the date of the acceptance of said Deed of Dedication by the Augusta Commission.

(9) In this Agreement, wherever herein DEVELOPER or AUGUSTA is used, the same shall be construed to include as well the heirs, executors, administrators, successors, legal representatives, and assigns of the same.

(10) This agreement shall be controlled by and construed in accordance with the laws of the State of Georgia, and the venue shall be Richmond County, Georgia.

IN WITNESS WHEREOF, DEVELOPER has hereunto set its hand and seal and AUGUSTA has caused the execution of this agreement by and through its duly authorized officers and agents, with its seal affixed, the day and year first above written.

DEVELOPER:

Donna S. Christian  
Witness

Jennifer L. Powell  
Notary Public

State of Georgia, County of Columbia

My Commission Expires: 06/27/2025

(Notary Seal)

JEN-PCS, LLC

By: Ronald W. Powell  
Ronald Powell

As Its: President and Owner



(Signatures continued on next page.)

ACCEPTED BY:

AUGUSTA, GEORGIA

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Garnett L. Johnson  
As Its Mayor

\_\_\_\_\_  
Notary Public  
State of Georgia, County of \_\_\_\_\_

Attest: \_\_\_\_\_  
Lena Bonner  
As Its Clerk of Commission

My Commission Expires: \_\_\_\_\_

(SEAL)