

STATE OF GEORGIA

COUNTY OF RICHMOND

**EASEMENT DEED OF DEDICATION
Water and Gravity Sanitary Sewer Systems
Private Streets
GUN CLUB INVESTORS, LLC**

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

WHEREAS, GUN CLUB INVESTORS, LLC, a limited liability company established under the laws of the State of Georgia, (hereinafter known as "DEVELOPER") owns a tract of land in Richmond County, Georgia, off of Gun Club Road (008-0-003-04-0/2913 Gun Club). DEVELOPER has constructed a commercial subdivision on said tract, in which it has laid out a water distribution system and gravity sanitary sewerage system; and

WHEREAS, it is the desire of DEVELOPER, to deed the water distribution system and the gravity sanitary sewer system, to AUGUSTA, GEORGIA, (hereinafter known as "AUGUSTA"), a political subdivision acting by and through the Augusta-Richmond County Commission for maintenance and control; and

WHEREAS, the road right-of-ways and storm drainage system shall remain private and they shall be solely the responsibility of DEVELOPER; and

WHEREAS, DEVELOPER, shall maintain the roads and streets as private streets, and covenants that its heirs, legal representatives, successors and assigns, shall repair, pave, or replace any private parking lot, road or street, or any portion thereof, or any landscaping, through which AUGUSTA may excavate or perform other work in connection with repairs, construction, maintenance, or extension of its water distribution system and sanitary sewerage system, and

shall grant to the AUGUSTA the necessary easement(s) in connection with such construction and/or extension; and

WHEREAS, a final plat of the above stated subdivision has been prepared by James G. Swift & Associates, dated September 15, 2023, approved March 1, 2024, by the Augusta Planning and Development Department, and filed in the Realty Records section of the office of the Clerk of the Superior Court of Richmond County, Georgia, in Plat Book 19 Pages 92-95. Reference is hereby made to the aforesaid plat for a more complete and accurate description as to the land herein described; 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, DEVELOPER has 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; and

NOW, THEREFORE, this indenture made this ____ day of _____ 2024, between DEVELOPER and AUGUSTA,

WITNESSETH:

That DEVELOPER, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars, 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 and assigns, the following, to-wit:

Exclusive 80-foot easement, in perpetuity, covering the water distribution and sanitary sewer systems, and shown as "Easement "C" 82,822 sq. ft. (Deeded to the City of Augusta), on the aforementioned plat. This easement area is also presently known as Trade Center Court.

Also granted herein is any right, benefit, interest, or title that Developer has in and to a certain Non-Exclusive Sewer Easement granted by Rush Truck Centers of Georgia, Inc. to Gun Club Investors, LLC, dated May 15, 2018, and recorded in aforesaid clerk's office in Realty Book 1631, Pages 383-397.

DEVELOPER further agrees that 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 utilities 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

DEVELOPER also grants AUGUSTA the right, but not the duty, to clear and keep clear, all trees, undergrowth and other obstructions from said permanent easement, along with the right of free ingress and egress to and from said permanent easement for this purpose.

DEVELOPER further agrees 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.

AND DEVELOPER, its heirs, legal representatives, successors and assigns, will warrant and defend the right and title to the above described property, to AUGUSTA, its successors and assigns, against all claims of all persons whosoever.

IN WITNESS WHEREOF, DEVELOPER has hereunto set its hand and affixed its seal the day and year first above written.

DEVELOPER:

Brenda Hill
Witness

GUN CLUB INVESTORS, LLC
By: Matthew D. Mills
Matthew D. Mills

[Signature]
Notary Public
State of Georgia, County of Richmond

As Its: Manager

My Commission Expires: 12/20/2025



(Signatures continued on the next page.)

ACCEPTED:

AUGUSTA, GEORGIA

Witness

By: _____

**Garnett Johnson
As Its Mayor**

Notary Public

State of Georgia, County of _____

Attest: _____

**Lena Bonner
As Its Clerk of Commission**

My Commission Expires: _____

(SEAL)