



MORGAN & LYLE, P.C.

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GEORGIA · ALABAMA  
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January 6, 2022

Via email

Columbus Consolidated Government  
Engineering Department  
Attn: Donna Newman  
410 10<sup>th</sup> Street  
Columbus, Georgia 31901

**Re: Release of Easements**

Dear Ms. Newman:

I represent 216 13th, LLC, which recently acquired the property located at 1520 5<sup>th</sup> Avenue, Columbus, Georgia 31901 (Parcel ID 017 016 002) (the "Property"). The Property is encumbered by two Easements for the Construction and Maintenance of Slopes, filed in Deed Book 4873, Pages 101 through 104 in the Office of the Clerk of the Superior Court of Muscogee County, Georgia (the "Easements"). Copies of the Easements are attached hereto and incorporated herein.

Please consider this letter as formal notice of our request to City Council to release and terminate the Easements of record. Based on prior discussions with the engineering department, the Easements are no longer necessary, as there are not slopes to maintain.

Please do not hesitate to reach out to me with any questions or concerns.

Sincerely,

Morgan & Lyle, P.C.

Alston E. Lyle

cc: Chris Woodruff, President of 216 13th, LLC  
Martin Huff

Enclosure

WHEN RECORDED,  
PLEASE RETURN TO  
W. PERRIN NICOLSON  
1081 Whiteville Rd  
Columbus, GA 31904

EX 4873 PG 103

PROJECT NO: PRP-8530-54 (215)  
PARCEL NO. 39

**EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES**

PENNSYLVANIA Montgomery COUNTY

THIS CONVEYANCE made and executed the 2nd day of February, 1998.

WITNESSETH: WHEREAS, the Department of Transportation of the State of Georgia has laid out in Columbus, Muscogee County, Georgia, 5th AVENUE, known as Project No. PRP-8530-54(215), P.L. No.: 2632640, being more particularly described in a map and drawing of said road in the Office of the Department of Transportation, No. 2 Capitol Square, Atlanta, Georgia, to which reference is hereby made.

WHEREAS, the undersigned, DELORES A. RUSH, hereinafter referred to as Grantor, owns a one-half undivided interest in a tract of land over which the Department of Transportation and Columbus, Georgia are in need of an Easement For the Construction and Maintenance of Slopes in connection with the construction of said project.

NOW, THEREFORE, in consideration of the benefit to Grantor's property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00) and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant to COLUMBUS, GEORGIA, its successors and assigns, over a PART OF CITY LOT 826 LOCATED IN COLUMBUS, MUSCOGEE COUNTY, GEORGIA, A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES over PARCEL 39 over the area shown in colored orange on the attached plat, with the right to execute certain construction over and upon my land abutting on and adjacent to the right of way within said easement areas in such manner as said Columbus, Georgia, may deem proper to support or accommodate the improvement of said road, including the right to slope the adjacent ground to tie in with roadway or sidewalk elevations, and to construct and maintain any required slopes within the easement areas. Said plat is a part of that plat prepared by the Department of Transportation, dated October 13, 1997, and entitled "Department of Transportation, State of Georgia Right of Way Proposed Widening and Reconstruction of 5th Avenue - City of Columbus Fifteenth Street to Hamilton Road Project No. PRP-8530-54 (215) P.L. 383640."

The easement hereby conveyed is more particularly described as follows: Beginning at a point 65.62 feet right of and opposite Station 13+44.99 on the construction center line of 5th Avenue of the above referenced project; said beginning point being also located at the corner formed by the intersection of the southern right of way line of Linwood Boulevard with the eastern right of way line of 5th Avenue; and from said point of beginning, thence run in an easterly direction along the southern right of way line of Linwood Boulevard to a point located on said right of way line, 91.08 feet right of and opposite of Station 13+45.07 on the construction centerline of 5th Avenue of said project; thence run in a southerly direction to a point located on the eastern right of way line of 5th Avenue, 65.21 feet right of and opposite of Station 13+07.99 on the construction center line of 5th Avenue of said project; thence run in a northerly direction along the eastern right of way line of 5th Avenue to the point of beginning. Said easement area contains 472 square feet, more or less, and is triangular in shape and is bounded on the north by the southern right of way line of Linwood Boulevard and on the west by the eastern right of way line of 5th Avenue and is contained within points numbered 231, 232 and 2076 as shown on said plat.

Grantor, in addition to the above, hereby expressly grants to the said Columbus, Georgia, its successors, assigns and agents, the right to demolish and remove in their entirety all buildings, walls, fences, gates, signs or any other improvements or structures of any nature or description, lying wholly or partially situated within the easement area, and the right to enter upon the adjacent lands not included in said required easement for the purpose of removing or demolishing such improvements.

For the same consideration, Grantor hereby conveys and relinquish to Columbus, Georgia all of Grantor's right, title and interest in and to the existing public rights of ways.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind, Grantor, and Grantor's heirs, executors and administrators forever and defend by virtue of these presents.

IN WITNESSETH WHEREOF, Grantor has hereunto set Grantor's hand and seal the day above written.

Signed, sealed and delivered  
in the presence of:

Julie [Signature]  
Witness

Sandra A. Roan  
Notary Public, Montgomery County, Pennsylvania

My commission expires: 6/22/98

DeLores A. Rush (L.S.)  
DELORES A. RUSH

NOTARIAL SEAL  
SANDRA A. ROAN, Notary Public  
Lower Merion Twp., Montgomery Co.,  
My Commission Expires June 22, 1998

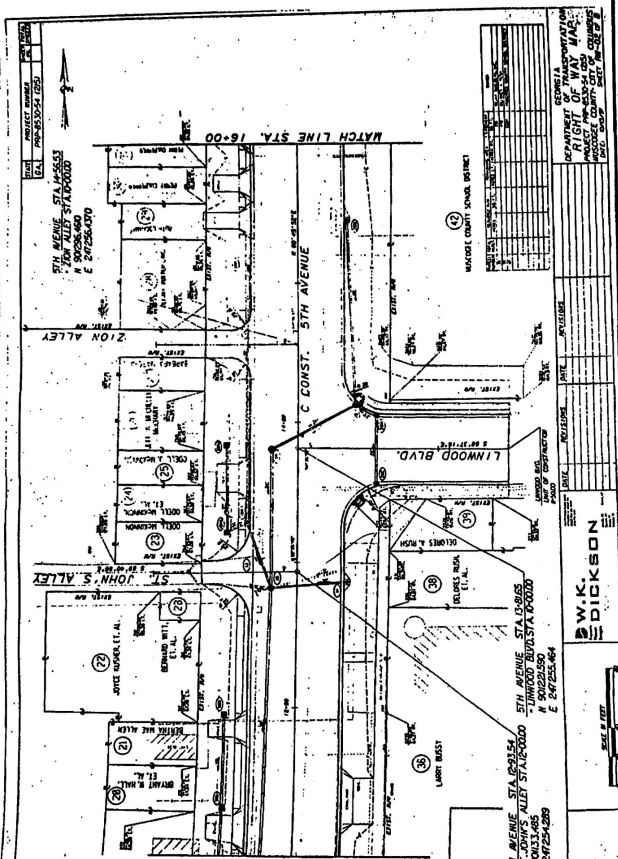


Georgia Muscogee County  
Clerk's Office, Superior Court  
of said County  
FILED FOR RECORD ON  
FEB - 3 1998  
at 4:01 PM and recorded in  
Book 4873, Page 103  
FEB 7 1998  
M. LINDA PERCE, Clerk  
S.G.M.C. GA.

FILED FOR RECORD  
3 FEB - 3 1998

H. LINDA PERCE, CLERK  
S.G.M.C. GA.  
002955

BLK 4673 PORTION



GEORGIA  
 DEPARTMENT OF WAY MARKS  
 PROJECT # 98-034-000  
 DATE 11/16/98  
 BY [signature]  
 CHECKED [signature]  
 APPROVED [signature]

DATE	REVISION	BY

**W.K. DICKSON**  
 PLAT 117

FILED  
 RECORDED  
 FEB 3 1998 -- FEB - 4 1998

M. LINDA PIERCE, CLERK, S.C.M.C., GA

WHEN RECORDED,  
PLEASE RETURN TO  
W. P. CHIN KOOLSON  
1911 Williams Building  
Queens, N.Y. 11354

BR 4873 PG 101

PROJECT NO: PRP-8530-54 (215)  
PARCEL NO: 39

NEW YORK,  QUEENS COUNTY

THIS CONVEYANCE made and executed the 31st day of January, 1998.

WITNESSETH: WHEREAS, the Department of Transportation of the State of Georgia has laid out in Columbus, Muscogee County, Georgia, 5th AVENUE known as Project No. PRP-8530-54(215), P.I. No. 363640, being more particularly described in a map and drawing of said road in the Office of the Department of Transportation, No. 2 Capitol Square, Atlanta, Georgia, to which reference is hereby made.

WHEREAS, the undersigned, FRED DOUGLAS WILLIAMS, hereinafter referred to as Grantor, owns a one-half undivided interest in a tract of land over which the Department of Transportation and Columbus, Georgia are in need of an Easement For the Construction and Maintenance of Slopes in connection with the construction of said project;

NOW, THEREFORE, in consideration of the benefit to Grantor's property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00) and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, Grantor does hereby grant to COLUMBUS, GEORGIA, its successors and assigns, over a PART OF CITY LOT 628 LOCATED IN COLUMBUS, MUSCOGEE COUNTY, GEORGIA, A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES over PARCEL 39 over the area shown in colored orange on the attached plat, with the right to execute certain construction over and upon my land abutting on and adjacent to the right of way within said easement area in such manner as said Columbus, Georgia, may deem proper to support or accommodate the improvement of said road, including the right to slope the adjacent ground to tie in with roadway or sidewalk elevations, and to construct and maintain any required slopes within the easement areas. Said plat is a part of that plat prepared by the Department of Transportation, dated October 13, 1997, and entitled "Department of Transportation, State of Georgia Right of Way Proposed Widening and Reconstruction of 5th Avenue - City of Columbus Fifteenth Street To Hamilton Road Project, No. PRP-8530-54 (215) P.I. 363640."

The easement hereby conveyed is more particularly described as follows: Beginning at a point 65.62 feet right of and opposite Station 13+44.99 on the construction center line of 5th Avenue of the above referenced project; said beginning point being also located at the corner formed by the intersection of the southern right of way line of Linwood Boulevard with the eastern right of way line of 5th Avenue; and from said point of beginning, thence run in an easterly direction along the southern right of way line of Linwood Boulevard to a point located on said right of way line, 91.06 feet right of and opposite of Station 13+45.07 on the construction centerline of 5th Avenue of said project; thence run in a southwesterly direction to a point located on the eastern right of way line of 5th Avenue, 65.21 feet right of and opposite of Station 13+07.99 on the construction center line of 5th Avenue of said project; thence run in a northerly direction along the eastern right of way line of 5th Avenue to the point of beginning. Said easement area contains 472 square feet, more or less, and is triangular in shape and is bounded on the north by the southern right of way line of Linwood Boulevard and on the west by the eastern right of way line of 5th Avenue and is contained within points numbered 231, 232 and 2076 as shown on said plat. Said easement area contains 472 square feet, more or less, and is triangular in shape and is bounded on the north by the southern right of way line of Linwood Boulevard and on the west by the eastern right of way line of 5th Avenue and is contained within points numbered 231, 232 and 2076 as shown on said plat.

Grantor, in addition to the above, hereby expressly grants to the said Columbus, Georgia, its successors, assigns and agents, the right to demolish and remove in their entirety all buildings, walls, fences, gates, signs or any other improvements or structures of any nature or description, lying wholly or partially situated within the easement area, and the right to enter upon the adjacent lands not included in said required easement for the purpose of removing or demolishing such improvements.

For the same consideration, Grantor hereby conveys and relinquish to Columbus, Georgia all of Grantor's right, title and interest in and to the existing public rights of ways.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind, Grantor, and Grantor's heirs, executors and administrators forever and defend by virtue of these presents.

IN WITNESSETH WHEREOF, Grantor has hereunto set Grantor's hand and seal the day above written.

Signed, sealed and delivered in the presence of:

*[Signature]*

*[Signature]*  
FRED DOUGLAS WILLIAMS

Witness  
*[Signature]*  
Notary Public, W. P. Chin Koolson County, New York  
My commission expires: 11/13/99

George Washington County Clerk's Office, Superior Court of said County  
FILED FOR RECORD BY  
FEB - 8 1998  
at 4 PM and recorded in  
Deed Book 4873, Page 101  
FEB 4 1998 14  
M. LINDA PENCE, Clerk  
S.G.M.C. GA.

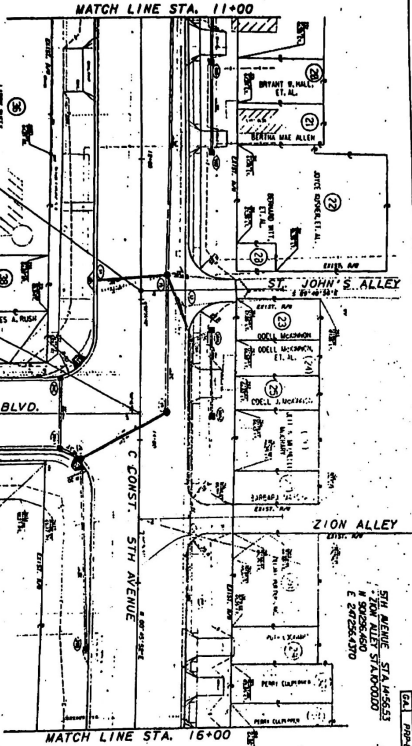
HOWARD C. HARROTT  
Notary Public, State of New York  
No. 41-4878722  
Qualified in Queens County  
Commission Expires Jan 12, 1999  
11/13/99

FILED FOR RECORD  
-3  
11:41

002954

M. LINDA PENCE, CLERK  
S.G.M.C. GA.

8K 4873 PG 102



5TH AVENUE STA. 19+15  
 ST. JOHN'S ALLEY STA. 10+00  
 N. 200X65.5  
 E. 20725.450

5TH AVENUE STA. 13+65  
 LINWOOD BLVD. STA. 10+00  
 N. 200X65.5  
 E. 20725.450

5TH AVENUE STA. 16+53  
 ST. JOHN'S ALLEY STA. 10+00  
 N. 200X65.5  
 E. 20725.450

**P. W. K.**  
**A. W. K.**  
**E D I C K S O N**

DATE	REVISIONS	BY	DATE	REVISIONS

PROJECT NO.	
PROJECT NAME	
DATE	
SCALE	
BY	
CHECKED BY	
APPROVED BY	
TITLE	

**FILED**  
**RECORDED**  
**FEB 3 1998 -- FEB - 4 1998**

M. LINDA PIERCE, CLERK, S.C.M.C., GA