

ARCHER & LOVELL, PC  
P. O. Box 1024  
Cartersville, GA 30120  
**TITLE EXAM NOT PERFORMED**

## UTILITY EASEMENT

### GEORGIA, BARTOW COUNTY

For and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the undersigned **TRIPLE E EAST, LLC**, (hereinafter "Grantor") does hereby grant and convey unto the **CITY OF CARTERSVILLE**, a municipal corporation of the State of Georgia, as Grantee, (hereinafter referred to as "City"), its successors and assigns, a permanent utility easement for the construction, and operation, maintenance and use of utilities on the following described property for use for utility infrastructure, related appurtenances and as a permanent utility easement to be constructed for, and installed over, above, across and upon the land owned by the undersigned which is described as follows:

All that tract or parcel of land lying and being in Land Lot 258, 16<sup>th</sup> District, 3<sup>rd</sup> Section, Bartow County, Georgia, being identified as a proposed 20' permanent City of Cartersville utility easement, containing 0.252 acres / 10,995 square feet and a proposed temporary City of Cartersville construction easement, containing 0.457 acres / 19,901 square feet, per the plat entitled Permanent & Temporary Easement Exhibit Bartow County Parcel 0036-0040-001, prepared for the City of Cartersville Gas System, prepared by Mitchell Lowery, G.R.L.S. No. 3109, dated June 3, 2024, and recorded in Plat Book 2024, Page 164 in the Office of the Clerk of the Superior Court of Bartow County, Georgia.

This Easement shall include the right of ingress and egress, at all times, for the purpose of installation, inspection, operation, repairs, renewal, maintenance, alteration, extension, removal and replacement of said easements and infrastructure therefore, together with the right to use and operate the same continuously and in perpetuity.

Grantor reserves the right to use the easement for purposes that will not interfere with City's full enjoyment of the rights granted by this instrument. Grantor, however, must not erect or construct any building or other structure (other than as may be approved by the City in accord herewith), or drill or operate any well, locate any other utility infrastructure therein, construct any reservoir or other obstruction of the easement or diminish or substantially add to the ground cover in the easement.

Grantor shall not construct a drive or road over the easement area except crossings approved by the City, which approval shall not be unreasonably conditioned, withheld and/or delayed. It is expressly understood by Grantor that crossings existing within the easement as of the date hereof will be replaced, repaved and/or restored, as applicable, by the City in a manner consistent with their current condition in the event such crossings are to be removed by the City to exercise the rights of this easement during construction.

The City shall pay all damages to fences, and crops which may be suffered by reason of installation, maintenance, or alteration of said public right of way and appurtenances thereto. If not mutually agreed upon, said damages are to be ascertained and determined by three disinterested persons, one thereof to be appointed by the owner of the premises, one by the City, and the third by the two so appointed as aforesaid, and the award of the two of such three persons shall be final and conclusive.

The granting of this easement shall not operate to vest in grantor(s) any title or interest in the equipment or installation made by the City and any property installed by the City shall remain the sole property of the City.

**SPECIAL STIPULATIONS:**

1. City agrees to relocate the existing 12" HP natural gas facility to a point 4' below the existing elevation of U.S. 411/S.R. 20 for a distance of 70' from the east side and 70' from the west side of the center line of the existing Triple E Farm access driveway for future improvements of the driveway at no cost to the developer.
2. City agrees to provide the proposed natural gas main infrastructure to serve the proposed single-family residences and proposed townhome residences at no cost to the developer provided the developer enters into a Development Agreement with the City and developer furnishes an easement for the construction of two (2) proposed regulating stations at an agreeable location.
3. City agrees to provide the proposed natural gas main infrastructure to serve the commercial areas at no cost to the developer provided the developer furnishes an easement for the construction of two (2) proposed regulating stations at an agreeable location.
4. The Temporary Easement shall expire on or before thirty (30) days following the completion of the directional bore across U.S. 411/S.R. 20.

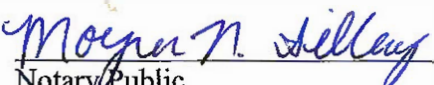
**TO HAVE AND TO HOLD** all and singular the aforesaid rights, privileges, and easements hereinabove set out to the proper use and enjoyment by the City, its successors and assigns.

The said City shall not be liable for any statements, agreement, or understanding not herein expressed.

**IN WITNESS WHEREOF**, the said undersigned have hereunto set hands and seals this 13 day of June, 2024.

Signed, sealed and delivered  
in the presence of:

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 08-21-27

[SEAL]

**GRANTOR:**

**TRIPLE E EAST, LLC**

By:   
\_\_\_\_\_  
(Signature)

Print Name: Steve Economos

Title: Owner



**ACCEPTANCE BY CITY OF CARTERSVILLE**

I hereby certify that the foregoing Easement, was approved and accepted by the City of Cartersville in a regularly called meeting on \_\_\_\_\_, 2024.

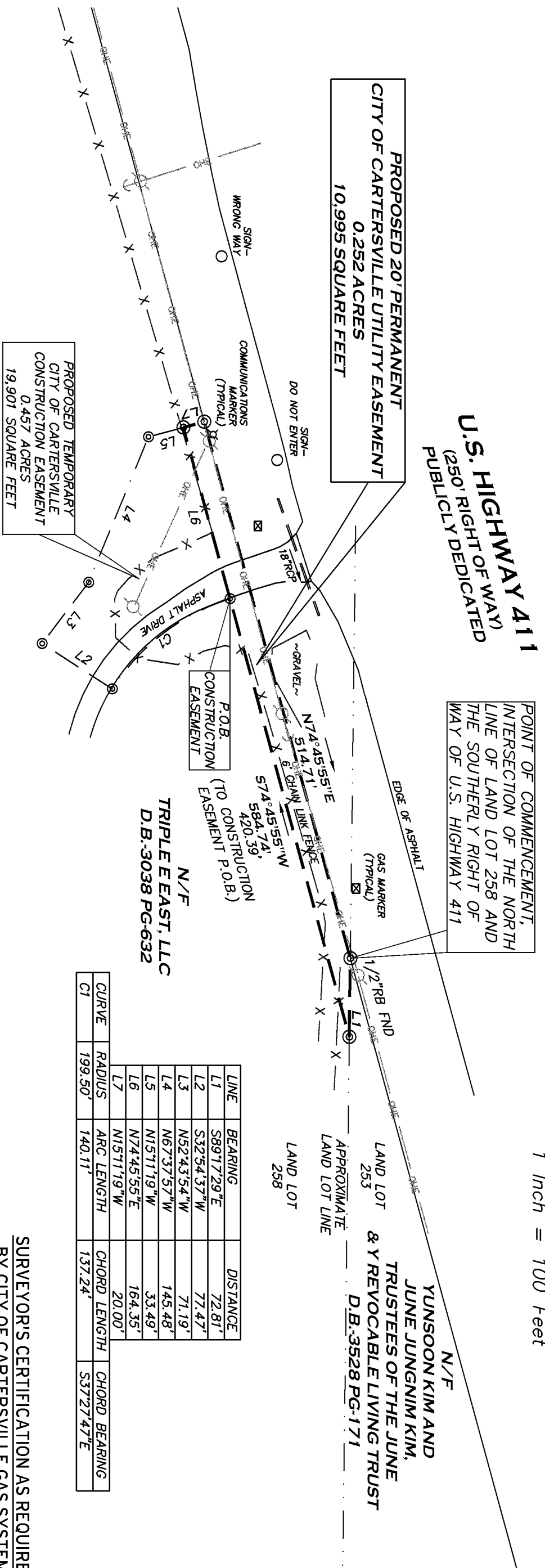
\_\_\_\_\_  
Matthew J. Santini, Mayor

ATTEST:

\_\_\_\_\_  
Julia Drake, City Clerk

BK: 2024 PG: 164-164  
 Filed and Recorded  
 06-14-2024 09:13 AM  
 DOC# P2024-000141  
*Melba Scoggins*  
 MELBA SCOGGINS  
 CLERK OF SUPERIOR COURT  
 BARTOW COUNTY  
 Participant ID: 1392277288

FOR CLERK'S USE



**U.S. HIGHWAY 411**  
 (250' RIGHT OF WAY)  
 PUBLICLY DEDICATED

POINT OF COMMENCEMENT  
 INTERSECTION OF THE NORTH  
 LINE OF LAND LOT 258 AND  
 THE SOUTHERLY RIGHT OF  
 WAY OF U.S. HIGHWAY 411

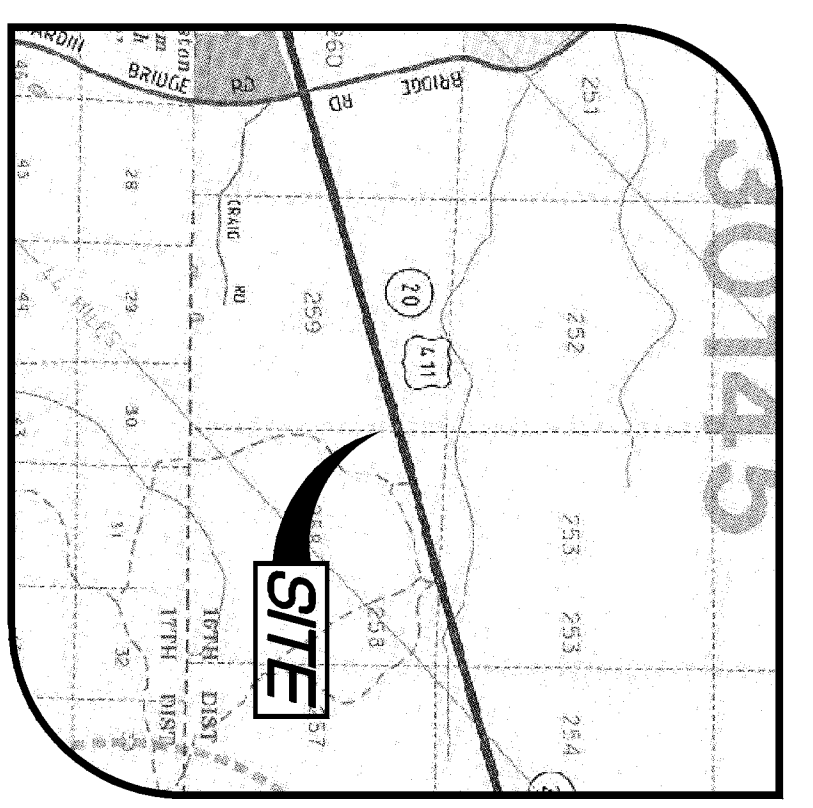
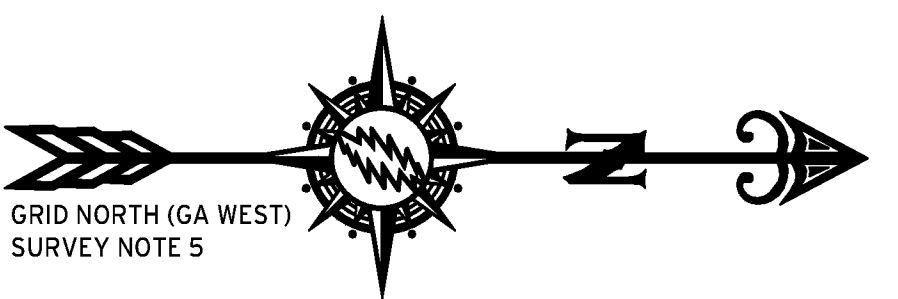
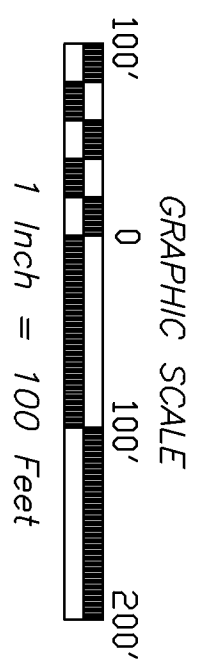
PROPOSED 20' PERMANENT  
 CITY OF CARTERSVILLE UTILITY EASEMENT  
 0.252 ACRES

PROPOSED TEMPORARY  
 CITY OF CARTERSVILLE  
 CONSTRUCTION EASEMENT  
 19.901 SQUARE FEET

TRIPLE E EAST, LLC  
 D.B.-3038 PG-632

YUNSOON KIM AND  
 JUNE JUNGNIM KIM,  
 TRUSTEES OF THE JUNE  
 & Y REVOCABLE LIVING TRUST  
 D.B.-3528 PG-171

LINE	BEARING	DISTANCE
L1	S89°17'29"E	72.81'
L2	S32°54'37"W	71.47'
L3	N52°43'54"W	71.19'
L4	N67°37'57"W	145.48'
L5	N15°11'19"W	33.49'
L6	N74°45'55"E	164.35'
L7	N15°11'19"W	20.00'
CURVE	RADIUS <td>CHORD LENGTH </td>	CHORD LENGTH
CI	199.50'	137.24'
	ARC LENGTH <td>CHORD BEARING </td>	CHORD BEARING
	140.11'	S37°27'47"E



VICINITY MAP

- SURVEY NOTES**
- 1) PROPERTY SHOWN HEREON WAS SURVEYED MAY 23, 2024.
  - 2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1" IN 38,358" WITH AN ANGULAR ERROR OF 2.47 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
  - 3) A LEICA TS16 TOTAL STATION, CARLSON BRV GPS RECEIVER, AND CARLSON RTK DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS.
  - 4) THIS PLAT HAS A MAP CLOSURE OF 1" IN 344,215'.
  - 5) BEARING BASIS (NAD83(2011) GA WEST) AND VERTICAL DATUM (NAVD83, GEOID18) FOR THIS SURVEY WERE ESTABLISHED USING A CARLSON BRV GPS RECEIVER UTILIZING OPUS-S FOR POST PROCESSING. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .07 FEET HORIZONTAL AND .09 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.
  - 6) UTILITIES SHOWN PER MARKINGS PLACED BY AN 811 LOCATE DESIGN TICKET 240528-001639, AND ABOVE GROUND EVIDENCE, UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. PROFESSIONAL LAND SURVEYORS MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.

**SURVEYORS CERTIFICATION AS REQUIRED BY CITY OF CARTERSVILLE GAS SYSTEM**

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

**SPACE FOR GOVERNMENTAL BODY APPROVAL**

NOTE: THIS PLAT DOES NOT REQUIRE APPROVAL OF THE MUNICIPAL OR COUNTY PLANNING COMMISSION OR GOVERNING AUTHORITY.

**SURVEYORS CERTIFICATION**

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLETES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN 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.

*Mitchell Lowery*  
 MITCHELL LOWERY  
 GEORGIA REGISTERED LAND SURVEYOR  
 No. 3109

*Mitchell Lowery*  
 MITCHELL LOWERY  
 GEORGIA REGISTERED LAND SURVEYOR  
 No. 3109

**LEGEND**

---	PERMANENT EASEMENT LIMITS
- - -	TEMPORARY EASEMENT LIMITS
---	LAND LOT LINE
---	WATER LINE
---	OVERHEAD UTILITY LINE
---	GAS LINE
---	SANITARY SEWER LINE
---	UNDERGROUND ELECTRIC LINE
---	FENCE LINE
---	STORM DRAIN PIPE
---	REINFORCED CONCRETE PIPE
---	POLYVINYL CHLORIDE PIPE
---	CORRUGATED METAL PIPE
---	FLOW DIRECTION
---	GAS MARKER
---	COMMUNICATIONS MARKER
---	REBAR FOUND
---	FOUND
---	SIGN

**PROFESSIONAL LAND SURVEYORS, LLC**  
 317 GRASSDALE ROAD  
 CARTERSVILLE, GA 30120  
 770-334-8186  
 WWW.PLS.US  
 INFO@PLS.US  
 GEORGIA C.O.A.: LSF001380

PREPARED FOR:  
 CITY OF CARTERSVILLE GAS SYSTEM  
 P.O. BOX 1390  
 CARTERSVILLE, GA 30120

PERMANENT & TEMPORARY EASEMENT  
 EXHIBIT BARTOW COUNTY PARCEL  
 0036-0040-001

STATE: GEORGIA COUNTY: BARTOW  
 LAND LOT 258, 16TH DISTRICT, 3RD SECTION

DATE: JUNE 3, 2024  
 JOB #: 244853  
 SCALE: 1"=100'  
 SHEET 1 OF 1

**PROFESSIONAL LAND SURVEYORS**