
After recording return to:
Daniel T. Strain, Jr.
411 W. Crawford Street
Dalton, GA 30720
706-278-4499

PARTIAL ABANDONMENT OF EASEMENT

IN RE: City of Dalton Sewer Easement at Deed Book 3355, Pages 114-115 and property of PVK Holdings, LLC at Deed Book 5591, Page 310, Whitfield County Clerk's Records.

WHEREAS, the City of Dalton was conveyed a 20 feet in width Sewer Easement at Deed Book 3355, Page 114 a copy of which is attached as Exhibit "A" hereto and the property upon which said easement is located is now the property of PVK Holdings, LLC as shown by Warranty Deed at Deed Book 5591, Page 310; and

WHEREAS, the actual location of the sewer line, in relation to the building located on the property, is beneath that concrete pavement cut and patch shown as the hatched area on Exhibit "B" attached hereto. The sewer line is located beneath the canopy or awning shown on the attached Exhibit "B" and there is no structural component (**wall**) of the building located on the property situated over the sewer line.

THEREFORE, in consideration of the premises, and other good and valuable consideration, the City of Dalton hereby abandons that portion of the above referenced easement area which is located beneath the structural components (**walls**) of the building located on the property. Except as stated above, the said easement remains in full force and effect as to the remainder of the easement area located outside the main building structure.

The result of this instrument is to release any portion of said 20 feet in width sewer easement which lies beneath the footprint of the main building structure as defined by the outside walls of the building located on the property. The remainder of the 20 feet in width easement, including that portion of same which is beneath the canopy or awning extending from the main building structure, remains in full force and effect.

It is mutually understood that no permanent structures shall be constructed over the remaining sewer easement such that City of Dalton would maintain ingress and egress rights to perform maintenance, operation, repair and removal of subject sewer line in perpetuity. The Grantee's use of the Encroachment shall not further impede or restrict Grantor's use of the sewer easement area. In the event that the Encroachments are substantially destroyed by fire, casualty, or other destruction, or should the Encroachments be removed from the sewer easement area by Grantee, then in such events, Grantee may replace the Encroachment in a substantially similar form and at the exact location of the existing structure.

This _____ day of _____, 2019.

City of Dalton

By: _____
Mayor

Attest: _____
Clerk:

Signed Sealed and delivered this _____
day of _____, 2019.

Witness

Notary Public

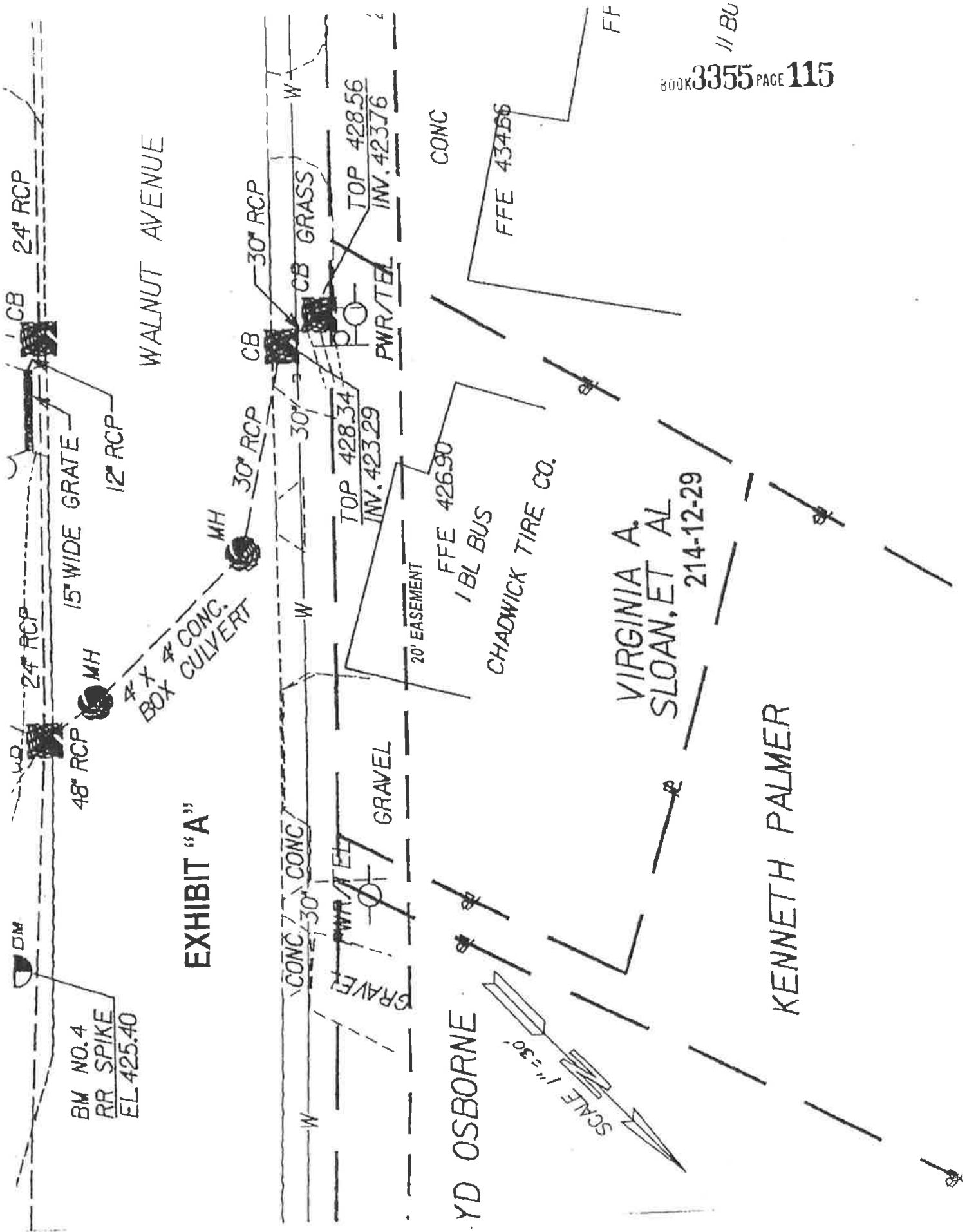


EXHIBIT "A"

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BM NO. 4
RR SPIKE
EL 425.40

WALNUT AVENUE

YD OSBORNE

KENNETH PALMER

VIRGINIA A.
SLOAN, ET AL
214-12-29

CHADWICK TIRE CO.
1 BL BUS

20' EASEMENT

CONC

FFE 43466

SCALE 1" = 30'

TOP 428.34
INV. 423.29

TOP 428.56
INV. 423.76

CONC 30'

W 30'

W 30'

30" RCP

30" RCP

MH

12" RCP

15" WIDE GRATE

24" RCP

24" RCP

48" RCP

DM

CB

CB

FF

