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Please Record and Return To:

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City Attorney  
Mitchell & Mitchell, P.C.  
P.O. Box 668  
Dalton, GA 30722-2586

## ENCROACHMENT EASEMENT AGREEMENT FOR TRAFFIC CONTROL DEVICE

This Encroachment Easement Agreement (this "Agreement") made this 10<sup>th</sup> day of JUNE, 2019, by and between **Dalton Board of Education**, a political subdivision of the State of Georgia, Grantor, and **City of Dalton, Georgia**, a municipal corporation of the State of Georgia, Grantee.

### WITNESSETH:

**WHEREAS**, the Grantor is the owner in fee of that certain lot of land located at the northwest corner of the intersection of Thornton Avenue and Crawford Street and identified as Parcel No.12-220-24-003 (the "Grantor Land"); and

**WHEREAS**, said Grantee desires to install and maintain certain traffic control devices for the benefit of the public upon the Grantor Land located within the City of Dalton, Georgia; and

**WHEREAS**, Grantor has agreed to grant to Grantee an easement upon the terms herein described for the installation and continued use of the Encroachments across the following described property identified as DPS Encroachment:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

(the "Easement Area");

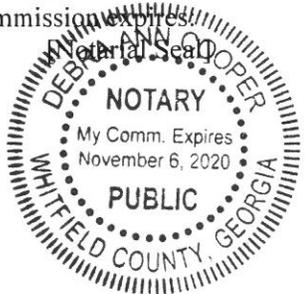
**NOW, THEREFORE**, in consideration of the premises, and of One and No/100 Dollar (\$1.00) in hand paid by the Grantee to the Grantor, the parties hereby covenant and agree as follows.

1. The Grantor hereby grants unto the Grantee an easement over the Easement Area for the purpose of installation, operation, repair and maintenance of traffic control equipment, lines and poles.
2. The rights and obligations set forth herein shall inure to the benefit of and be binding on the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and affixed their seals the day and year first above written.

Signed, sealed and delivered  
In the presence of:

Don Anonett  
Unofficial Witness  
Alstra Ann Cooper  
Notary Public  
My commission expires:



Signed, sealed and delivered  
In the presence of:

\_\_\_\_\_  
Unofficial Witness  
\_\_\_\_\_  
Notary Public  
My commission expires:  
[Notarial Seal]

**GRANTOR:**

**Dalton Board of Education**

By: W. G. [Signature]  
~~Chairperson~~ Vice-Chair WME

Attest: [Signature]  
Clerk

[Seal]

**GRANTEE:**

**City of Dalton, Georgia**

By: \_\_\_\_\_  
Mayor

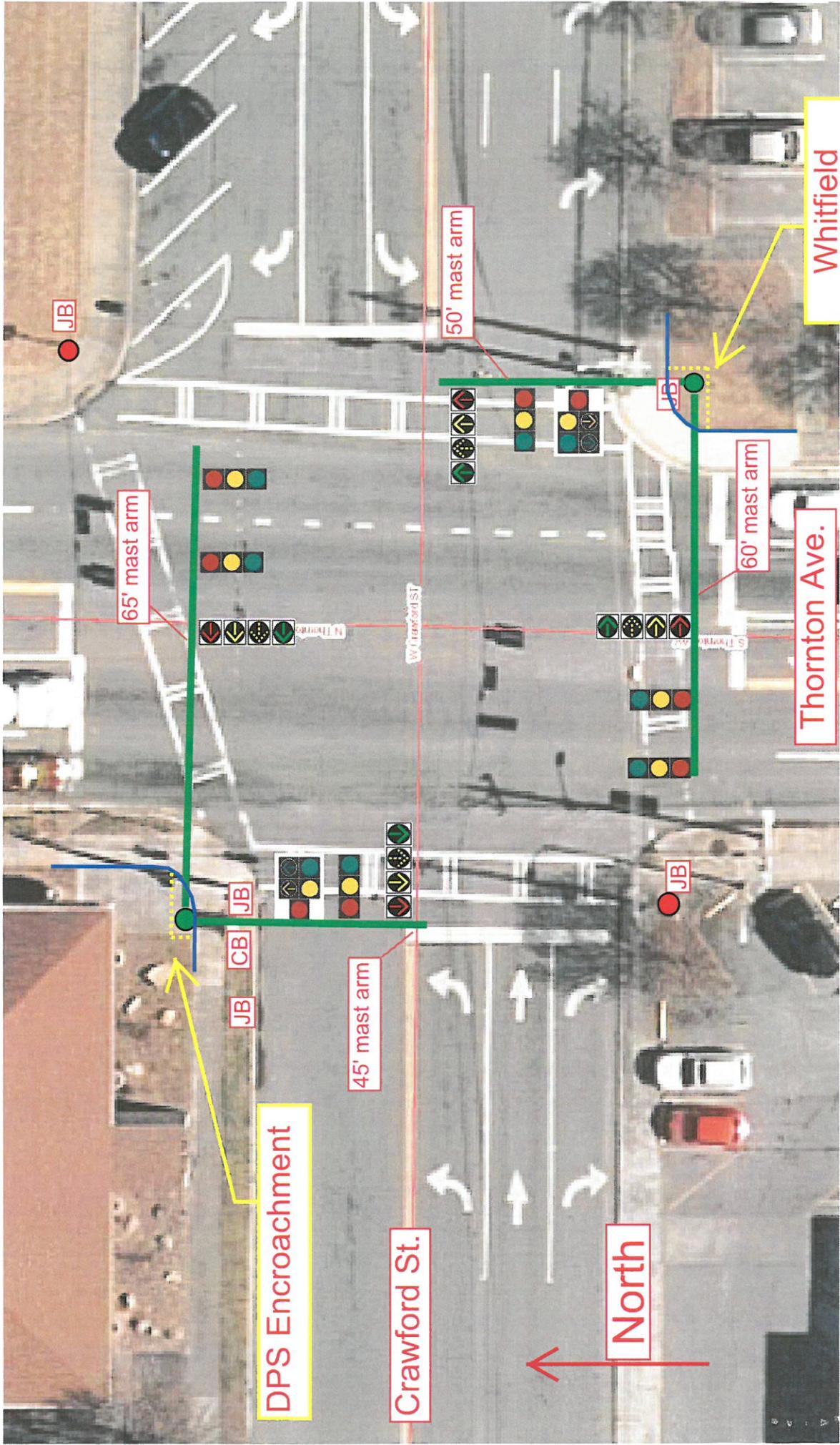
Attest: \_\_\_\_\_  
Clerk

[Seal]

## *EXHIBIT A:*

*Dalton Public Works –  
Traffic Signal Upgrades at  
Intersection of Thornton Ave  
and Crawford Street*

# Dalton Public Works - Traffic Signal Upgrades at Intersection of Thornton Ave and Crawford Street



- mast arm pole location
- pedestrian pole location
- JB junction box
- CB traffic control cabinet

..... Permanent encroachment required for pole/foundation and junction box

— Existing ROW

Whitfield County Encroachment

DPS Encroachment

Thornton Ave.

Crawford St.

North

65' mast arm

45' mast arm

50' mast arm

60' mast arm

JB

JB

CB

JB

JB

JB

W Crawford St

S Thornton