## **Staff Report**

Subject:Deed and Right of Way Acceptance (Fifth District)Author:Stephen Candler, Development Services DirectorDepartment:Development ServicesMeeting Date:August 20, 2024Item Description:Chad Zittrouer requests approval of the Deed and Right of Way for North GateIndustrial Park. {Map #478 Parcel# 2, 2F, 2G, 2H & Map # 486 Parcel #2}

## **Summary Recommendation**

Staff has reviewed the inspected the roads and drainage infrastructure identified in the warranty deed, and recommends approval.

## **Executive Summary/Background**

- Development Services Staff has inspected all roads, right-of-ways, and drainage infrastructure that is being dedicated to the county and it has passed inspection.
- The County Attorney has reviewed and approved the warranty deed and infrastructure agreement and approves.

## Alternatives

**1. Approve** the final plat and infrastructure agreement for North Gate Industrial Park, and accept the roads and drainage infrastructure identified in the warranty deed.

## 2. Take no action

<b>Recommended Alter</b>	Other Alternatives: 2		
Department Review:	Development Services, County Attorney	FUNDING: N/A	
Attachments:	1. Warranty Deed 2. Property Description		

3. Plat

# STATE OF GEORGIA COUNTY OF EFFINGHAM

# FFINGHAM ) WARRANTY DEED FOR ROADS, WATER AND SEWER UTILITIES, AND EASEMENTS

)

THIS INDENTURE made this \_\_\_\_\_ day of August, 2024, by and between **NORTH GATE INDUSTRIAL PARK ASSOCIATION, INC.**, a Georgia non-profit corporation, as Party of the First Part (hereinafter referred to as "Grantor") and the **BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA**, as Party of the Second Part (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective, successors and assigns where the context requires or permits).

## WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid, at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee the following described property:

All that certain road, street, and right of way situate, lying and being in the 9<sup>th</sup> G.M. District of Effingham County, Georgia, and being known as <u>GENERAL WAY – 100' R/W (7.762 acres)</u>, <u>NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE IA</u>, as shown and more particularly described on that certain map or plat made by Joseph A. Hale, Jr., R.L.S. No. 2886, dated \_\_\_\_\_\_, \_\_\_\_ and recorded in <u>Plat Book \_\_\_\_\_\_</u>, <u>Page \_\_\_\_\_</u> in the records of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof. The right of way is further described in the legal description attached hereto as Exhibit "A". It is the intention of the Grantor to convey to the Grantee all of its interest in the aforenamed street or right of way for public access.

TOGETHER WITH the installed water and sanitary sewer systems and drainage improvements located within said right-of-way and public easements, all located within Northgate Industrial Development, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes but specifically <u>excluding</u> any sewer laterals, detention ponds, sidewalks, common areas, and any portion of the water system from the water meter to any building.

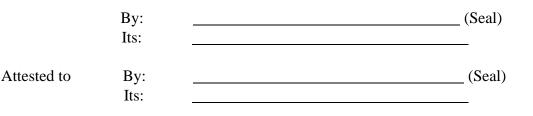
TOGETHER WITH a perpetual, non-exclusive, appurtenant, commercial, transmissible general utility easement for the installation, construction, maintenance, operation, repair and replacement of permanent above ground or underground utilities over, through and across and in those areas designated as utility easements, and drainage easements, including the right to ingress and egress over the easements, all located within Northgate Industrial Development, as shown on the aforementioned plat which is incorporated herein for descriptive and all other purposes.

TO HAVE AND TO HOLD said property with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit, and behoof of the said Grantee forever, in fee simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor, by and through its authorized agent, has hereunto set its hand and seal, on the day and year first above written.

# NORTH GATE INDUSTRIAL PARK ASSOCIATION, INC.



Signed, sealed, and delivered in the presence of:

Witness

Notary Public

The foregoing conveyance of roads, water and sewer utilities, drainage infrastructure, and easements in Northgate Industrial Development, Effingham County, Georgia is hereby accepted by the Grantee.

ACCEPTED AND AGREED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

# **BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA**

BY:

(Seal)

Wesley Corbitt Chairman

ATTEST: \_\_\_\_\_(Seal)

Stephanie Johnson Effingham County Clerk

Signed, sealed, and delivered in the presence of:

Witness

Notary Public

### PROPERTY DESCRIPTION

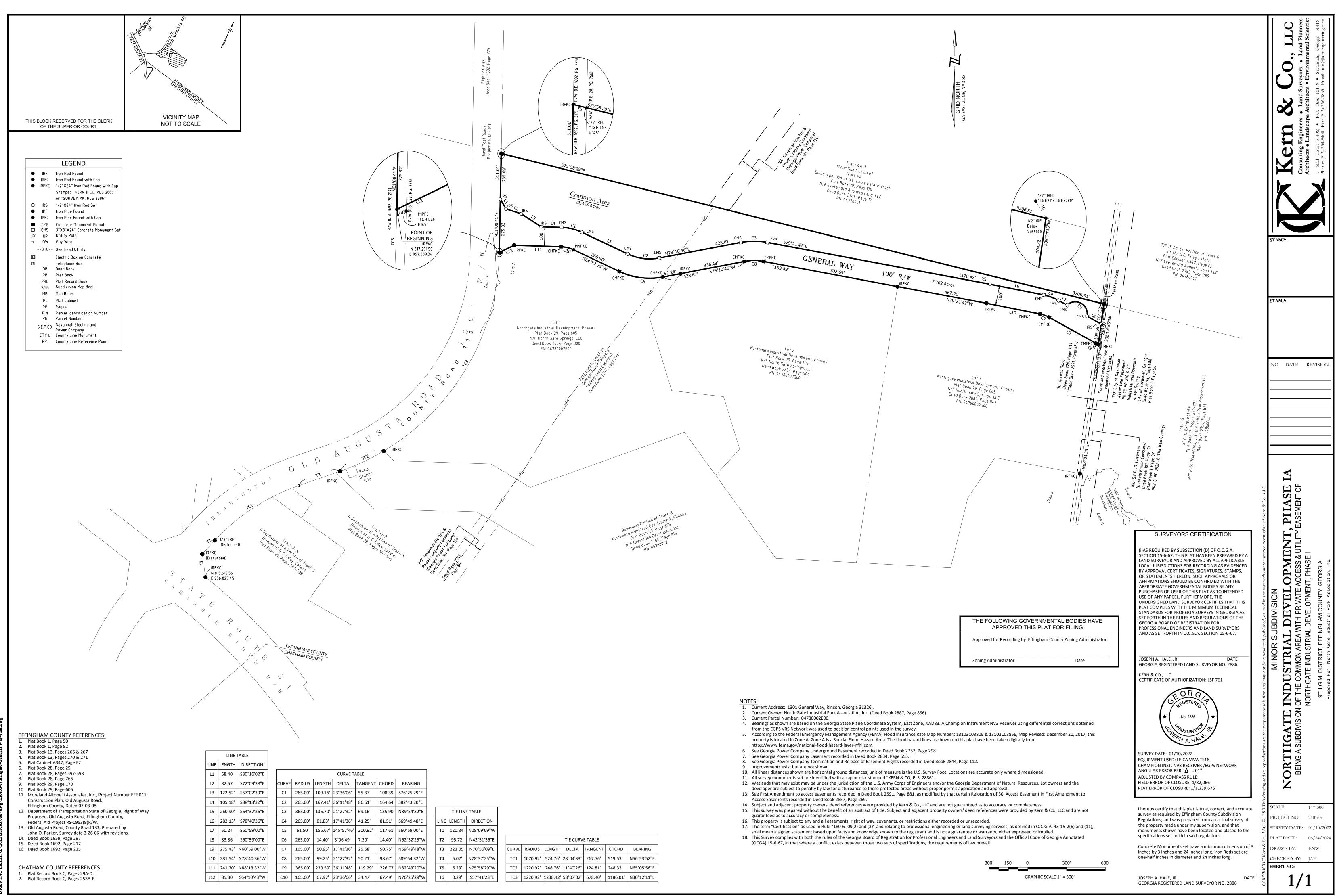
ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING IN THE 9<sup>TH</sup> G.M. DISTRICT, EFFINGHAM COUNTY, GEORGIA. BEING GENERAL WAY, A 100' WIDE RIGHT OF WAY, NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE IA, AS SHOWN IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_ OF THE OFFICE OF THE CLERK OF SUPERIOR COURT OF EFFINGHAM COUNTY, GEORGIA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886" AT THE INTERSECTION OF THE EASTERN RIGHT OF WAY OF STATE ROUTE 21 (VARIABLE WIDTH RIGHT OF WAY) AND THE EASTERN RIGHT OF WAY OF OLD AUGUSTA ROAD (150' RIGHT OF WAY) HAVING COORDINATES OF NORTHING 815,615.56, EASTING 956,023.45 BASED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83), THENCE ALONG THE EASTERN RIGHT OF WAY OF OLD AUGUSTA ROAD THE FOLLOWING SIX COURSES AND DISTANCES: N08°09'09"W A DISTANCE OF 120.84' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", N42°51'36"E A DISTANCE OF 95.72' TO A 1/2" IRON ROD FOUND, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1,070.92', AN ARC LENGTH OF 524.76', A CENTRAL ANGLE OF 28°04'33", A TANGENT LENGTH OF 267.76', A CHORD LENGTH OF 519.53' BEARING N56°53'52"E TO A POINT, N70°56'09"E A DISTANCE OF 223.05' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1,220.92', AN ARC LENGTH OF 248.76', A CENTRAL ANGLE OF 11°40'26", A TANGENT LENGTH OF 124.81', A CHORD LENGTH OF 248.33' BEARING N65°05'56"E TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1,220.92', AN ARC LENGTH OF 1,238.42', A CENTRAL ANGLE OF 58°07'02", A TANGENT LENGTH OF 678.40', A CHORD LENGTH OF 1,186.01' BEARING N30°12'11"E TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", AND BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EASTERN RIGHT OF WAY OF OLD AUGUSTA ROAD, N01°08'41"E A DISTANCE OF 275.32' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886"; THENCE ALONG THE SOUTHERN LINE OF COMMON AREA OF NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE IA (RECORDED IN PLAT BOOK \_, PAGE \_\_\_\_) THE FOLLOWING FIFTHTEEN COURSES AND DISTANCES: S30°16'02"E A DISTANCE OF 58.40' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886", S72°09'38"E A DISTANCE OF 82.57' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886", S57°02'39"E A DISTANCE OF 122.52' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886", S88°13'32"E A DISTANCE OF 105.18' TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 265.00', AN ARC LENGTH OF 109.16', A CENTRAL ANGLE OF 23°36'06", A TANGENT LENGTH OF 55.37', A CHORD LENGTH OF 108.39' BEARING S76°25'29"E TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", S64°37'26"E A DISTANCE OF 260.90' TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 265.00', AN ARC LENGTH OF 167.41', A CENTRAL ANGLE OF 36°11'48", A TANGENT LENGTH OF 86.61', A CHORD LENGTH OF 164.64' BEARING S82°43'20"E TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", N79°10'46"E A DISTANCE OF 428.67' TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 365.00', AN ARC LENGTH OF 136.70', A CENTRAL ANGLE OF 21°27'32", A TANGENT LENGTH OF 69.16', A CHORD LENGTH OF 135.90' BEARING N89°54'32"E TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", S79°21'42"E A DISTANCE OF 1,170.48' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886", S78°40'36"E A DISTANCE OF 282.13' TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 265.00', AN ARC LENGTH OF 81.83', A CENTRAL ANGLE OF 17°41'36", A TANGENT LENGTH OF 41.25', A CHORD LENGTH OF 81.51' BEARING S69°49'48"E TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", S60°59'00"E A DISTANCE OF 50.24' TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 61.50', AN ARC LENGTH OF 156.67', A CENTRAL ANGLE OF 145°57'46", A TANGENT LENGTH OF 200.92', A CHORD LENGTH OF 117.61' BEARING S60°59'00"E TO A 3"X3" CONCRETE MONUMENT SET WITH A PLASTIC CAP MARKED "LS 2886", S60°59'00"E A DISTANCE OF 83.86' TO A 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED "LS 2886" ON THE WESTERN LINE OF TRACT-5 OF THE G. C. EXLEY, ESTATE (RECORDED IN PLAT CABINET 13, PAGES 270 AND 271); THENCE ALONG THE WESTERN LINE OF SAID TRACT-5 S08°04'35"W A DISTANCE OF 106.65' TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886"; THENCE ALONG THE NORTHERN LINE OF LOT 3, NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE I (RECORDED IN PLAT BOOK 29, PAGE 605) THE FOLLOWING FIVE COURSES AND DISTANCES: WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 265.00', AN ARC LENGTH OF 14.40', A CENTRAL ANGLE OF

03°06'49", A TANGENT LENGTH OF 7.20', A CHORD LENGTH OF 14.40' BEARING N62°32'25"W TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", N60°59'00"W A DISTANCE OF 275.43' TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 165.00', AN ARC LENGTH OF 50.95', A CENTRAL ANGLE OF 17°41'36", A TANGENT LENGTH OF 25.68', A CHORD LENGTH OF 50.75' BEARING N69°49'48"W TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", N78°40'36"W A DISTANCE OF 281.54' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", N79°21'42"W A DISTANCE OF 467.20' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886"; THENCE ALONG THE NORTHERN LINE OF LOT 2, NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE I (RECORDED IN PLAT BOOK 29, PAGE 605) THE FOLLOWING THREE COURSES AND DISTANCES: N79°21'42"W A DISTANCE OF 702.69' TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 265.00', AN ARC LENGTH OF 99.25', A CENTRAL ANGLE OF 21°27'32", A TANGENT LENGTH OF 50.21', A CHORD LENGTH OF 98.67' BEARING S89°54'32"W TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", S79°10'46"W A DISTANCE OF 336.43' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886"; THENCE ALONG THE NORTHERN LINE OF LOT 1, NORTHGATE INDUSTRIAL DEVELOPMENT, PHASE I (RECORDED IN PLAT BOOK 29, PAGE 605) THE FOLLOWING SIX COURSES AND DISTANCES: S79°10'46"W A DISTANCE OF 92.24' TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 365.00', AN ARC LENGTH OF 230.59', A CENTRAL ANGLE OF 36°11'48", A TANGENT LENGTH OF 119.29', A CHORD LENGTH OF 226.77' BEARING N82°43'20"W TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", N64°37'26"W A DISTANCE OF 260.90' TO A MAGNETIC NAIL FOUND WITH A WASHER MARKED "LS 2886", WITH A CURVE TO THE LEFT HAVING A RADIUS OF 165.00', AN ARC LENGTH OF 67.97', A CENTRAL ANGLE OF 23°36'06", A TANGENT LENGTH OF 34.47', A CHORD LENGTH OF 67.49' BEARING N76°25'29"W TO A 3"X3" CONCRETE MONUMENT FOUND WITH A PLASTIC CAP MARKED "LS 2886", N88°13'32"W A DISTANCE OF 241.70' TO A 1/2" IRON ROD FOUND WITH A PLASTIC CAP MARKED "LS 2886", S64°10'43" W A DISTANCE OF 85.30' TO THE POINT OF BEGINNING; AND CONTAINING 7.762 ACRES.

KERN & CO., LLC 7 MALL COURT SAVANNAH, GEORGIA 31406 THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY JOSEPH A. HALE, JR., GEORGIA REGISTERED LAND SURVEYOR NO. 2886, ON JUNE 4, 2024. THIS MEDIUM SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.

JOSEPH A. HALE, JR. GEORGIA REGISTERED LAND SURVEYOR NO. 2886 KERN & CO., LLC CERTIFICATE OF AUTHORIZATION: LSF 761



THE LINE TABLE					
	LENGTH	DIRECTION			
	120.84'	N08°09'09"W			
	95.72'	N42°51'36"E			
	223.05'	N70°56'09"E		CURVE	F
	5.02'	N78°37'25"W		TC1	1
	6.23'	N75°58'29"W		TC2	1
	0.29'	S57°41'23"E		TC3	1

	TIE CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	BEARING
TC1	1070.92'	524.76'	28°04'33"	267.76'	519.53'	N56°53'52"
TC2	1220.92'	248.76'	11°40'26"	124.81'	248.33'	N65°05'56"
TC3	1220.92'	1238.42'	58°07'02"	678.40'	1186.01'	N30°12'11"