# AGENDA STAFF MEMO

**TO:** Honorable Mayor and City Council Members
**FROM:** Steven Krokoff, City Manager
DocuSigned by: Steven krokoff 9E6DD808EBB74CE...
**DATE:** Submitted on December 11, 2025, for the December 15, 2025, Regular City Council Meeting

**AGENDA ITEM:** Approval and Acceptance, with Authorization for the Mayor to Sign and Record, a Quitclaim Deed from the Fulton County Board of Education Related to Property Located at 12615 Broadwell Road

**SUMMARY:**

The attached Quitclaim Deed of Release of Covenants formalizes the Fulton County Board of Education's release of a restrictive covenant placing conditions on the City-owned property located at 12615 Broadwell Road. This parcel, historically referenced as part of the former Crabapple School property, is currently known as the Broadwell Pavilion site.

**Background**

The vesting deed includes a restrictive covenant requiring that the land be used for 4-H Club, Boy Scout, Home Demonstration Club, and other agricultural purposes under supervision of the County Agricultural Agent.

**Purpose of the Release**

The Fulton County Board of Education, as Grantor, has executed this Quitclaim Deed to release any interest it holds in that restrictive covenant. This action removes the covenant requirement on the City's property and confirms that the City may use the property without limitation tied to the historic agricultural purposes. Recording this quit claim deed in the property's chain of title will remove the restrictions thereby paving the way for the City to have greater flexibility in use of the property, to include possible conveyance to a third party for use in a Mayfield District development project.

**REVIEW & APPROVALS:**

**Financial Review:** N/A
**Legal Review:** Ken Jarrard, Jarrard & Davis, LLP – *December11*, 2025
**Concurrent Review**: Bernadette Harvill, Deputy City Manager
DocuSigned by: Bernadette Harvill ED09D88B47F7499...

**ATTACHMENT(S):**

Quitclaim Deed of Release of Covenants

**AFTER RECORDING, PLEASE RETURN TO**:
Brittany P. Taylor, Esq.
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040

Re: Tax Parcel No. 22 416111340263

CROSS-REFERENCE:
Deed Book 2440 Folio 275

**QUITCLAIM DEED OF RELEASE OF COVENANTS**

GEORGIA, FULTON COUNTY

PROJECT: Milton Park Tract

THIS INDENTURE made this, the _____ day of _____2025, between FULTON COUNTY BOARD OF EDUCATION, a political subdivision of the State of Georgia, whose address is 6201 Powers Ferry Road NW, Atlanta, GA 30339 (the "**Grantor**"), and CITY OF MILTON, a Georgia municipal corporation (the "**Grantee**"). The words "Grantor" and "Grantee" shall include the respective heirs, personal representative, successors, and assigns where the context requires or permits.

WHEREAS, Grantee is the current owner of that certain property being described as follows (the "**Property**"):

> All that tract or parcel of land lying and being in the community of Crabapple (sometimes previously referred to as the Village of Crabapple) in Land Lot 1134 of the 2nd District and 2nd Section of originally Cherokee, then Milton, and now Fulton County, Georgia; more particularly described as follows:
>
> Beginning on the east side of Broadwell Road (formerly Rucker Road) 65 feet, more or less, south from the southeastern corner of Mayfield Road (formerly the Cumming Road) and Broadwell Road, at the southwest corner of property of Peal Gober Statham (Deed Book 6343, Page 347, Fulton County records); thence southeasterly along the southwestern line of said Statham property 57.5 feet, more or less, to a corner of property of Sally P. Rich (Deed Book 10748, Page 238); thence southerly along the western line of said Rich property and continuing southerly along the western line of property now or formerly owned by J. Wayne Bowman (Deed Book 18218, Page 90 , et.seq.) a total distance if 257.6 feet, more

or less, to property now or formerly thence west along the north line of the Hazel Westbrooks of Broadwell Road, at a point located 60 feet north of the line dividing Land Lot 1171 and said Land Lot 1134; thence north along the east side of Broadwell Road 245 feet, more or less, to the point of beginning, at the southwest corner of the Statham property aforesaid; said described tract containing property conveyed by the Trustees of the Crabapple School House to the Milton County Board of Education by deed, dated January 9, 1909, and recorded in Deed Book "I", Page 405 (old Milton County records) and more commonly referred to as 12615 Broadwell Road according to the present system of numbering.

and

WHEREAS, Grantor has or may have an interest in a certain restrictive covenant ("**Restrictive Covenant**") in a Warranty Deed whereby Fulton County Board of Education, as grantor, conveyed a portion of the Property (said portion, the "**Former School Property**") to Fulton County, a political subdivision of the State of Georgia, and its successors and assigns, as grantee, recorded June 27, 1949, in Deed Book 2440, Folio 275, Fulton County Records (the "**Warranty Deed**"), a true and correct copy of which is attached hereto as **Exhibit "A"** and incorporated herein by reference; and

WHEREAS, the Former School Property is described in said Warranty Deed as follows:

> All that tract or parcel of land lying and being in the Second Section of the Second District of formerly Milton but now Fulton County, more particularly described as follows:
>
> COMMENCING at a certain rock on the West line of Land Lot 1134 in said district and section, and running South fifty (50) feet along said West line of Land Lot 1134; thence due East one hundred (100) feet; thence due North fifty (50) feet; thence due West to the beginning point.

WHEREAS, the Restrictive Covenant in the Warranty Deed affects the Former School Property by stating as follows:

> **"The above property is deeded to Fulton County for 4-H Club, Boy Scout, Home Demonstration Club and other agricultural purposes of interest to the community where the property is located and shall be used for these public purposes under the supervision and direction of the County Agricultural Agent of Fulton County."**

WHEREAS, Grantor wishes to release any interest it has or may have in the Restrictive Covenant found in that Warranty Deed, as the Property (including the Former School Property) is currently owned by Grantee, the City of Milton, Georgia; and

NOW, THEREFORE, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00), in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor has bargained, sold and does by these presents bargain, sell,

remise, release, and forever QUITCLAIM, discharge and release all the right, title, interest, claim or demand which Grantor has or may have had in and to the Restrictive Covenant, and further, Grantor does hereby remise, release, and forever QUITCLAIM and release unto Grantee all the right, title, interest, claim or demand which Grantor has or may have had in and to the **Property**, including the Former School Property.

With all rights, members, and appurtenances to the said described Property in anyway appertaining or belonging.

TO HAVE AND TO HOLD the said described **Property** (including the Former School Property) unto Grantee, its heirs and assigns, so that neither the Grantor nor its successors or assigns nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title, or interest to the aforesaid described **Property** or its appurtenances.

, Except as specifically modified hereby, the Warranty Deed shall otherwise remain in full force and effect. After giving effect to this Quitclaim Deed of Release of Covenants, the Warranty Deed shall remain a valid deed of the portion of that Property described in the Warranty Deed

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands and seals, as of the date first above written.

Signed, sealed and delivered this 20 day of November 2025, in the presence of:

Witness

Notary Public

[NOTARY SEAL]

MELANDIE G. MORRISON
My Commission Expires
NOTARY PUBLIC
August 18, 2028
DOUGLAS COUNTY, GEORGIA

**GRANTOR:**

**FULTON COUNTY BOARD OF EDUCATION,**
a political subdivision of the State of Georgia

By: _____
Name: Kristin McCabe
Title: Board Chair

Attest: _____
Name: Dr. Mike Looney
Title: Superintendent

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

**GRANTEE:**

Signed, sealed and delivered this_____
day of _____ 20___,
in the presence of:

_____
Witness

_____
Notary Public
My Commission expires:

(notary seal)

**CITY OF MILTON** a municipal corporation of the State of Georgia

By:_____
Print Name: Peyton Jamison
Print Title: Mayor

Approved as to form and legal sufficiency:

_____
City Attorney

# EXHIBIT "A"

# [Attached]

**Release of Deed Restriction at Broadwell Pavilion**

I move the Fulton County Board of Education authorize the release of a deed restriction on the Broadwell Pavilion Property (12615 Broadwell Road) in favor of the City of Milton as the current owner, and authorize the execution of a quitclaim deed of release.

Approved by the Fulton County Board of Education on this 20 day of November, 2025.

Kristin McCabe, Board Chair/President

Dr. Mike Looney, Superintendent