



AGENDA STAFF MEMO

TO: Honorable Mayor and City Council Members
FROM: Sara Leaders, PE, Public Works Director
DATE: Submitted on February 10, 2025, for the February 19, 2025, Regular City Council Meeting

DocuSigned by:

4D62B6BB0E9A487...

AGENDA ITEM: Approval of a Revised Purchase Agreement for 0.457 Acres of Temporary Construction Easement at 13450 Cogburn Road (North Park) from City of Alpharetta for the Big Creek Greenway Extension Project PI 0015078.

Purchase Agreement previously approved on May 6, 2024.

SUMMARY:

The intent of this item is to revise a previously approved Purchase Agreement with the City of Alpharetta on May 6, 2024.

Due to Land & Water Conservation Funding (LWCF) being spent on North Park by City of Alpharetta in the past, the entire area needed for the multiuse path was required to be changed to temporary construction easement. Both cities agree that Milton will be responsible for maintaining the multiuse path/sidewalk since Cogburn Road is Milton right-of-way. The cities also agree to indemnify and hold harmless the City of Alpharetta for this section of multiuse path/sidewalk along Cogburn Road.

The purchase amount of \$124,900 was not changed.

FUNDING AND FINANCIAL IMPACT:

The property purchase of \$124,900 will be funded with 80% Federal funds and 20% Local TSPLOST funds.

ALTERNATIVES:

If this purchase agreement is not approved, the project will not be able to reach construction.

PROCUREMENT SUMMARY (if applicable)

REVIEW & APPROVALS:

Financial Review: Karen Ellis, Finance Director –
Legal Review: Jennifer K. McCall, Jarrard & Davis, LLP – February 10, 2025
Concurrent Review: Steven Krokoff, City Manager –

DocuSigned by:

45755D597160487...

DocuSigned by:

9E6DD808EBB74CF...

SERVICE • TEAMWORK • OWNERSHIP • LEADERSHIP • RURAL HERITAGE

2006 Heritage Walk, Milton, GA 30004 | 678.242.2500 | facebook.com/thecityofmiltonga | info@miltonga.gov | www.miltonga.gov



ATTACHMENT(S):

Revised Purchase Agreement

SERVICE • TEAMWORK • OWNERSHIP • LEADERSHIP • RURAL HERITAGE

2006 Heritage Walk, Milton, GA 30004 | 678.242.2500 | facebook.com/thecityofmiltonga | info@miltonga.gov | www.miltonga.gov



OPTION TO PURCHASE RIGHT OF WAY

GA DOT P.I. Number 0015078 Parcel # 16

Tax Parcel ID # 22 510009670011

Property Location 13450 Cogburn Road, Milton, GA 30004

GEORGIA, FULTON COUNTY

For and in consideration of the sum of One Dollar (\$1.00), receipt whereof being acknowledged, the undersigned grants to the City of Milton an option to acquire the following described real estate:

Right of Way and/or Easement rights through that tract or parcel of land located in Land Lots 906, 967, and 968 of the 2nd District, 2nd Section or GMD N/A of Fulton County, Georgia, and being more particularly described on Exhibit A attached hereto and made a part hereof by reference.

\$124,900.00 initial

For the sum of \$ 100,900.00, the undersigned agrees to execute and deliver to the City of Milton fee simple title and easements to the lands owned by the undersigned as reflected on the attached Exhibit "A".

* * * * *

The following conditions are imposed upon the grant of this option:

- 1) This option shall extend for 90 days from this date.
- 2) The consideration recited is full payment for the rights conveyed.

0 0.197 Acres of Right of Way

N/A Linear Feet of Limited Access

0 0.154 Acres of Construction and Maintenance Easement

0.457 0.113 Acres of Construction Easement
AC

- 3) All Temporary Easements will terminate upon completion and acceptance of the same by the Department of Transportation.
- 4) The undersigned shall obtain all quit claim deeds or releases from any tenant now in possession and any other parties having a claim or interest in the property described above.
- 5) Special Provisions, if any, are listed on Exhibit "B", which is attached hereto and incorporated herein by reference.

Witness my hand and seal this 25 day of MARCH, 2024

Signed, Sealed and Delivered
in the presence of:

Molly Eswein

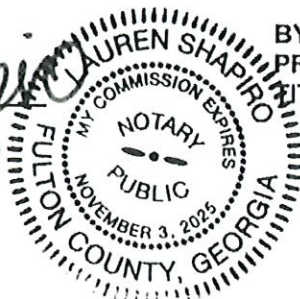
Witness

Lauren Shapiro
Notary Public

CITY OF ALPHARETTA

BY: [Signature]
PRINTED NAME:
TITLE:

Chris Lagerbloom
CITY ADMINISTRATOR



OPTION TO PURCHASE RIGHT OF WAY

GA DOT P.I. Number 0015078 Parcel# 16

Tax Parcel ID# 22 510009670011

Property Location 13450 Cogburn Road, Milton, GA 30004

ACCEPTED BY:

Robert Dell-Ross

LOCAL SPONSOR

Feb 10, 2025

(Date)

NOTE:

- 1) This Agreement is contingent upon the required R/W and permanent easement being revised to temporary Easement. The agreement will be in accordance with the revised plans dated 7-10-24 and attached to this Agreement. The total required temporary construction easement is 0.457 Acres, as well as temporary driveway easement, as outlined on said plans.
- 2) In connection with such Option to Purchase, City of Alpharetta, Georgia will construct a 10-foot-wide sidewalk ("Sidewalk") in favor of City of Milton, Georgia. The sidewalk shall be treated by both cities as part of Cogburn Road. City of Milton, Georgia hereby indemnifies and holds harmless City of Alpharetta, Georgia from and against any and all losses, liabilities, claims, judgments, costs, and expenses arising out of the sidewalk being located within Cogburn Road Area. City of Milton, Georgia agrees to accept responsibility for any maintenance or repairs to the Sidewalk or any public improvements in the Sidewalk Area.

CITY OF ALPHARETTA, GEORGIA

By: _____

Jim Gilvin, Mayor

Date: _____

Attest:

Lauren Shapiro, City Clerk

Approved as to Content:

Robert J. Regus, City Administrator Approved

as to form:

JARRARD & DAVIS, LLP

Jennifer K. McCall, City Attorney

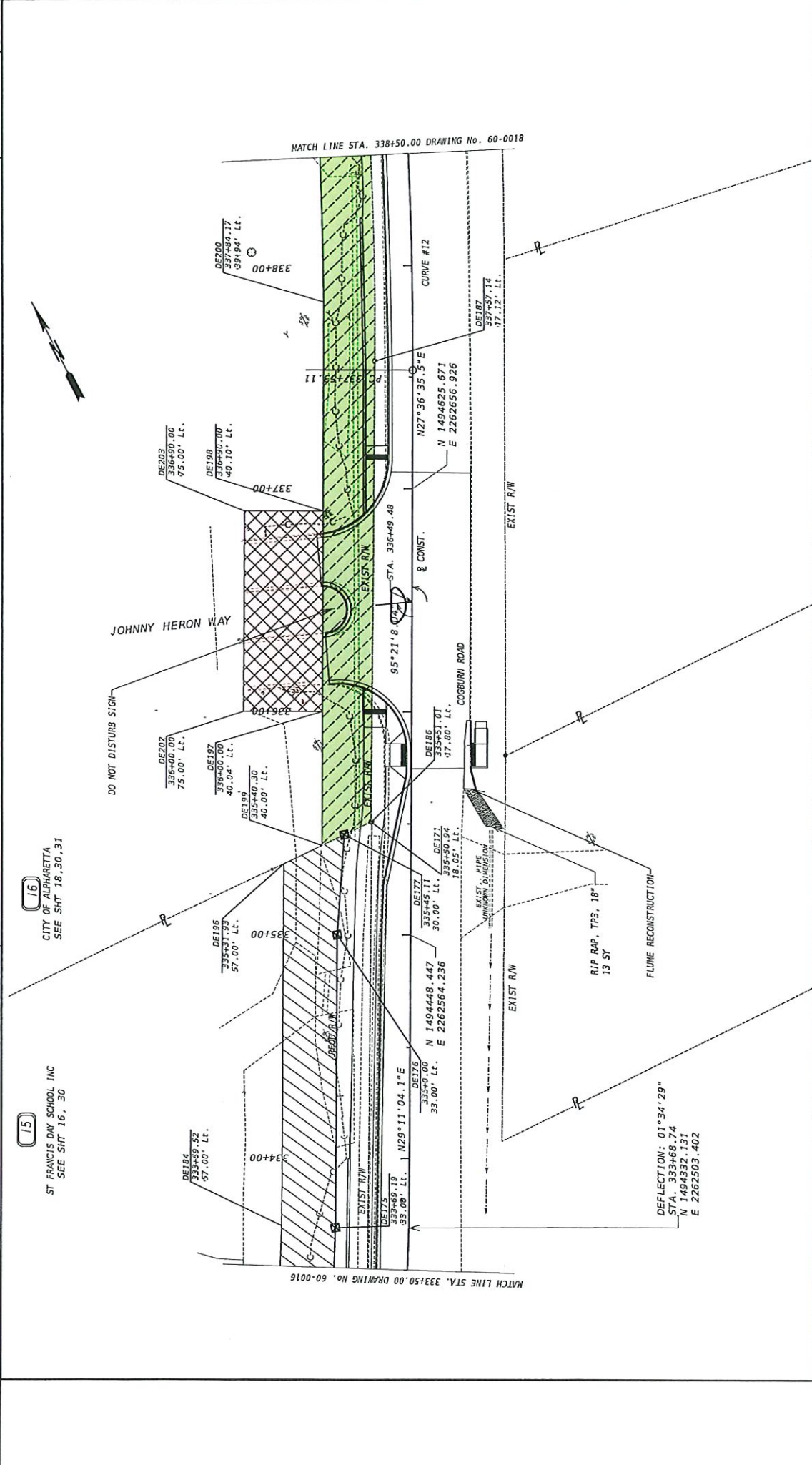
CITY OF MILTON, GEORGIA

By: _____
Peyton Jamison, Mayor

Date: _____

Attest:

Tammy Lowit, City Clerk



STATE OF GEORGIA

DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY MAP

PROJECT NO. 0015078

LAND LOT NO. 968

LAND DISTRICT: 2

DATE 01/16/23 SH 17 OF 35

DRAWING No.

60-0017

SCALE IN FEET

0 20 40 80

DATE

1/19/2024

REVISIONS

REVISED EASEMENTS ON PARCEL 16

BEGIN LIMIT OF ACCESS

END LIMIT OF ACCESS

EXISTING LIMIT OF ACCESS

REQ'D LIMIT OF ACCESS

EXISTING LIMIT OF ACCESS & R/W

REQ'D LIMIT OF ACCESS & R/W

ORANGE BARRIER FENCE

ESA - ENV. SENSITIVE AREA

PROPERTY AND EXISTING R/W LINE

REQUIRED R/W LINE

CONSTRUCTION LIMITS

EASEMENT FOR CONSTR

EASEMENT FOR CONSTR OF SLOPES

EASEMENT FOR CONSTR OF DRAVES

BLA

ELA



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES		BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS --- 000 --- REO'D LIMIT OF ACCESS ZZZZ EXISTING LIMIT OF ACCESS & R/W ZZZZ REO'D LIMIT OF ACCESS & R/W ZZZZ ORANGE BARRIER FENCE ZZZZ ESA - ENV. SENSITIVE AREA ---	DATE 1/17/2024 REVISIONS REVISED EASEMENTS ON PARCEL 16		SCALE IN FEET 0 20 40 80	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO: 0015078 COUNTY: FULTON LAND LOT NO: 505, 968 LAND DISTRICT: 2 DATE: 01/16/23 SH. 18 OF 35 DRAWING NO. 60-0018
--	--	---	--	--	-----------------------------	---

9/21/2024 present.tit		01015078_60.dgn		0015078_60.dgn		P.L. No. 0015078	
PARCEL 14 DE114 REQ'D DRY. EASNT.		PARCEL 15 DE159 EASNT. FOR CONST. AND MAINT. OF SLOPES		PARCEL 16 DE172 EASNT. FOR CONST. OF SLOPES		STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP	
PNT OFFSET/ DIST		PNT OFFSET/ DIST		PNT OFFSET/ DIST		PROJECT NO: 0015078 COUNTY: FULTON LAND DISTRICT: 2 DATE 01/16/23 SH 30 OF 35 DRAWING NO. 60-0030	
STATION/ BEARING		STATION/ BEARING		STATION/ BEARING			
ALIGNMENT		ALIGNMENT		ALIGNMENT			
DE151 56.000 R 160+05.000 Webb Rd		DE178 43.000 L 329+85.469 Cogburn Rd		DE199 39.997 L 335+40.226 Cogburn Rd			
DE152 51.395 R 160+60.000 Webb Rd		DE179 43.000 L 330+45.954 Cogburn Rd		DE197 40.039 L 336+00.000 Cogburn Rd			
DE158 65.000 R 160+60.000 Webb Rd		DE180 83.942 L 330+54.420 Cogburn Rd		DE198 40.103 L 336+00.000 Cogburn Rd			
DE157 65.000 R 160+05.000 Webb Rd		DE181 92.423 L 330+91.608 Cogburn Rd		DE200 39.942 L 337+44.170 Cogburn Rd			
DE151 56.000 R 160+05.000 Webb Rd		DE182 57.000 L 331+04.406 Cogburn Rd		ARC LENGTH = 114.29			
REDD EASNT = 621.64 SF		ARC LENGTH = 147.50		CHORD BEAR = N25°19'03.09"E			
REDD EASNT = 0.014 ACRES		LINT CHORD = 147.33		LINT CHORD = 114.28			
		RADIUS = 887.00		RADIUS = 2100.36			
PARCEL 15		DEGREE = 06°27'34.206"		DEGREE = 02°43'40.456"			
DE66		DE183 57.000 L 332+42.430 Cogburn Rd		DE204 39.627 L 339+00.682 Cogburn Rd			
REQ'D R/W		DE184 57.000 L 333+69.520 Cogburn Rd		DE205 52.283 L 339+00.727 Cogburn Rd			
		DE196 57.000 L 335+31.928 Cogburn Rd		ARC LENGTH = 307.70			
PNT		DE177 30.000 L 335+45.105 Cogburn Rd		CHORD BEAR = N17°50'23.66"E			
OFFSET/ DIST		DE176 30.000 L 335+00.000 Cogburn Rd		LINT CHORD = 307.27			
STATION/ BEARING		DE175 30.000 L 333+69.190 Cogburn Rd		RADIUS = 1682.95			
ALIGNMENT		DE174 30.000 L 332+42.430 Cogburn Rd		DEGREE = 03°24'16.142"			
DE172 28.000 L 329+85.469 Cogburn Rd		DE173 28.000 L 332+00.000 Cogburn Rd		DE193 53.684 L 342+20.548 Cogburn Rd			
ARC LENGTH = 221.77		ARC LENGTH = 518°51'02.898"W		DE194 60.000 L 342+20.548 Cogburn Rd			
CHORD BEAR = N18°51'02.898"E		LINT CHORD = 221.15		DE195 19.819 L 342+21.495 Cogburn Rd			
LINT CHORD = 221.15		RADIUS = 858.00		DE196 42.984 L 342+48.869 Cogburn Rd			
RADIUS = 858.00		DEGREE = 06°40'40.187"		DE188 17.609 L 342+48.869 Cogburn Rd			
DEGREE = 06°40'40.187"		DE173 28.000 L 332+00.000 Cogburn Rd		ARC LENGTH = 485.88			
DE173 28.000 L 332+00.000 Cogburn Rd		DE172 28.000 L 329+85.469 Cogburn Rd		CHORD BEAR = S19°44'05.84"W			
DE176 30.000 L 335+00.000 Cogburn Rd		DE178 43.000 L 329+85.469 Cogburn Rd		LINT CHORD = 484.26			
DE177 30.000 L 335+45.105 Cogburn Rd		REDD EASNT = 15486.77 SF		RADIUS = 1717.98			
DE171 18.049 L 335+50.937 Cogburn Rd		REDD EASNT = 0.356 ACRES		DEGREE = 03°20'06.274"			
DE186 17.804 L 335+51.012 Cogburn Rd				DE187 17.116 L 337+57.141 Cogburn Rd			
DE170 16.424 L 332+86.410 Cogburn Rd				DE171 18.049 L 335+50.937 Cogburn Rd			
ARC LENGTH = 274.92				DE177 30.000 L 335+45.105 Cogburn Rd			
CHORD BEAR = S20°56'28.843"W				DE199 39.997 L 335+40.226 Cogburn Rd			
LINT CHORD = 274.26				REDD EASNT = 19890.19 SF			
RADIUS = 1148.30				REDD EASNT = 0.457 ACRES			
DEGREE = 04°59'22.655"				PARCEL 16			
DE169 9.539 L 330+14.440 Cogburn Rd				DE187			
DE168 18.469 L 330+14.453 Cogburn Rd				REQ'D DRY. EASNT.			
ARC LENGTH = 29.62				PNT			
CHORD BEAR = S11°28'46.804"W				OFFSET/ DIST			
LINT CHORD = 29.62				STATION/ BEARING			
RADIUS = 989.04				ALIGNMENT			
DEGREE = 05°47'35.052"							
DE167 17.969 L 329+85.469 Cogburn Rd							
DE172 28.000 L 329+85.469 Cogburn Rd							
REDD R/W = 9196.79 SF							
REDD R/W = 0.211 ACRES							
REMAINDER = +/- 30 ACRES							
PROPERTY AND EXISTING R/W LINE		BEGIN LIMIT OF ACCESS		DATE REVISIONS		DATE REVISIONS	
REQUIRED R/W LINE		END LIMIT OF ACCESS		1/19/2024 REVISED EASEMENTS ON PARCEL 16			
CONSTRUCTION LIMITS		EXISTING LIMIT OF ACCESS		7/19/2024 REVISED REQ'D AND EASEMENTS ON PARCEL 16			
EASEMENT FOR CONSTR. & MAINTENANCE OF SLOPES		REQ'D LIMIT OF ACCESS					
EASEMENT FOR CONSTR. OF SLOPES		EXISTING LIMIT OF ACCESS & R/W					
EASEMENT FOR CONSTR. OF DRIVES		REQ'D LIMIT OF ACCESS & R/W					
		ORANGE BARRIER FENCE					
		ESA - ENV. SENSITIVE AREA					