

January 12, 1977

Memo To: Mr. Wilburn Adams

From: James H. Hinson, Jr. *JH*

Reference: Drainage Easement at Glen Haven School

At its meeting on January 10, 1977, the Board authorized and directed the Superintendent to grant to the DeKalb County government a drainage easement which will parallel Covington Highway for 287 feet, with a depth of approximately 80 feet, to be located in an existing drainage area on the Glen Haven School site which is heavily covered with trees and, as reported to the Board, it will have no effect on the existing playground facilities. The drainage system is to be properly enclosed with a six-foot chain link fence. The Board requested that the Superintendent check with the Attorney for the School District on the legality of allowing the County to use barbed wire strands on top of the fence for the purpose of keeping children away from the drainage area. Also, the Board asked that if barbed wire is used, that it be placed at an angle at the top of the fence.

The Board further specified that the easement is to be granted subject to the County government fulfilling the terms as outlined in a memorandum from Mr. R. W. Roseveare, Chief of the Engineering Division of the DeKalb County government, dated September 1, 1976 (items numbered 1-4), and terms as specified in the easement agreement as presented by the County.

Please take the steps necessary to process a drainage easement as authorized by the Board.

Attachments

cc: Dr. William Adams
Mr. Gary Sams

Betty Haney

18



DeKalb County

Roads & Drainage Department

April 7, 1977

The DeKalb County Board of Education
3770 North Decatur Road
Decatur, Georgia 30033

RECEIVED

APR 11 1977

Dear Sirs:

SUPERINTENDENT'S
OFFICE

Subject: Drainage Easement - Glenhaven
Elementary School - Contract No. 77-1342

DeKalb County is forwarding herewith your copy of the executed contract on subject project.

Please do not hesitate to contact this department if further information is required.

Very truly yours,

Bill Hatler

Bill Hatler
Management and Planning

Attachment

BH:de

DRAINAGE EASEMENT

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE entered into on this, the 22nd day of March 1977, between DEKALB COUNTY BOARD OF EDUCATION of said State and County, owner, party of the first part, and DEKALB COUNTY, GEORGIA, its successors and assigns, party of the second part;

WITNESSETH:

That for and in consideration of one and 00/100 (\$1.00) Dollar, cash in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and of the benefits to be conferred upon the property by the improvements in the drainage easement area, said party of the first part has granted, bargained, sold and conveyed to DEKALB COUNTY, GEORGIA, its successors and assigns, the right, title and privilege of an easement to construct and maintain said improvements in Land Lot 196 of the 15th District of DeKalb County as more particularly described on Exhibit "A", attached hereto and made a part hereof by reference.

Said easement being a portion of that parcel of land lying and being in the southwest quadrant of Covington Highway and Interstate Highway #I-285, and more particularly described as follows:

Begin at the point where the right-of-way line of said Interstate Highway #I-285 intersects the southerly right-of-way of said Covington Highway, and from said point run northwesterly along the southerly right-of-way of said Covington Highway a distance

of 85 feet to a point; thence deflect to the left and run in a southwesterly direction at right angles with the centerline of said Covington Highway a distance of 80 feet to a point; thence run in a southeasterly direction a distance of 237 feet to a point 45 feet from the westerly right-of-way of said I-285 and perpendicular thereto; thence run northeasterly along said perpendicular line a distance of 45 feet to a point in the westerly right-of-way of said I-285; thence run northwesterly along said westerly right-of-way of said I-285 a distance of 202 feet, more or less, to join with the aforementioned point of beginning, embracing portions of property known as Glenhaven Elementary School, held by the DeKalb County Board of Education, as shown in Deed Book 508, page 503, DeKalb County, Records.

Said easement is granted subject to the following conditions:

- (1) DeKalb County agrees to perform all work done in a workmanlike manner and to perform work only in the areas for which specific permission has been granted by the owner.
- (2) The maintenance of the above-described property shall be the sole responsibility of DeKalb County.
- (3) If, in the opinion of the owner, conditions develop that create an unsightly appearance or an unhealthy environment, DeKalb County shall be obligated to correct said conditions to the satisfaction of the owner.
- (4) DeKalb County agrees to construct and maintain a chain link fence, at least six feet high with a top strand of barbed wire tilted inward, around the above-described area following the approval of said fence by the Director of Facilities Construction of the DeKalb County Board of Education.

(5) DeKalb County agrees to post and maintain "keep out" and "no trespassing" signs along the perimeter of the above-described area.

(6) DeKalb County agrees to access the above-described area from the Covington Highway, therefore no right of entry through the property of the owner will be necessary.

The owner hereby warrants that it has the right to sell and convey said land and binds itself forever to defend by virtue of these presents.

IN WITNESS WHEREOF, the owner has hereunto set its hand and seal the day and year first written above.

DEKALB COUNTY, GEORGIA

THE DEKALB COUNTY BOARD OF EDUCATION

By Walter B. Russell, Jr.
WALTER B. RUSSELL, JR.,
CHAIRMAN, BOARD OF COMMISSIONERS

BY [Signature]

BY David Williamson

DeKalb County
Contract No. 77-1342

BY [Signature]

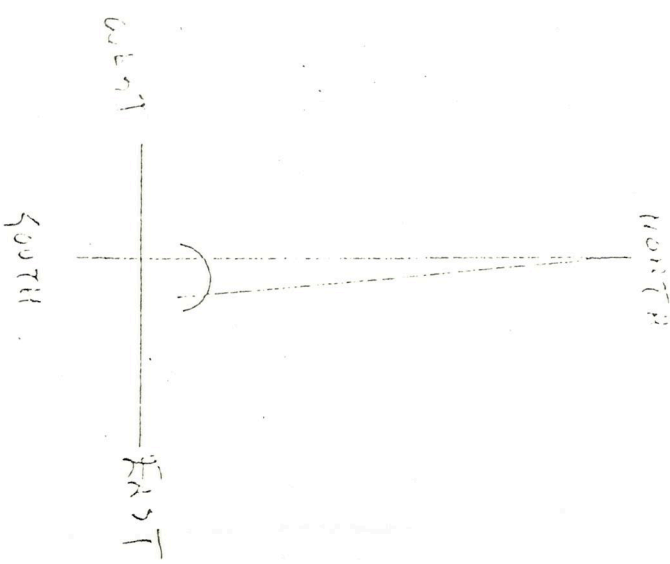
By Cal M. Sandman
Cal M. Sandman, Clerk,
Board of Commissioners

BY Geo. R. Fellows

BY John W. Imelove

BY [Signature]

BY [Signature]



DEKALB COUNTY, GEORGIA
 DEPARTMENT OF ROADS & DRAINAGE
 LAND SURVEY & FIELD ENGINEERING SECTION
 LAND LOT 196
 SCALE: 1"=50'
 15th DISTRICT
 JUNE 29, 1976

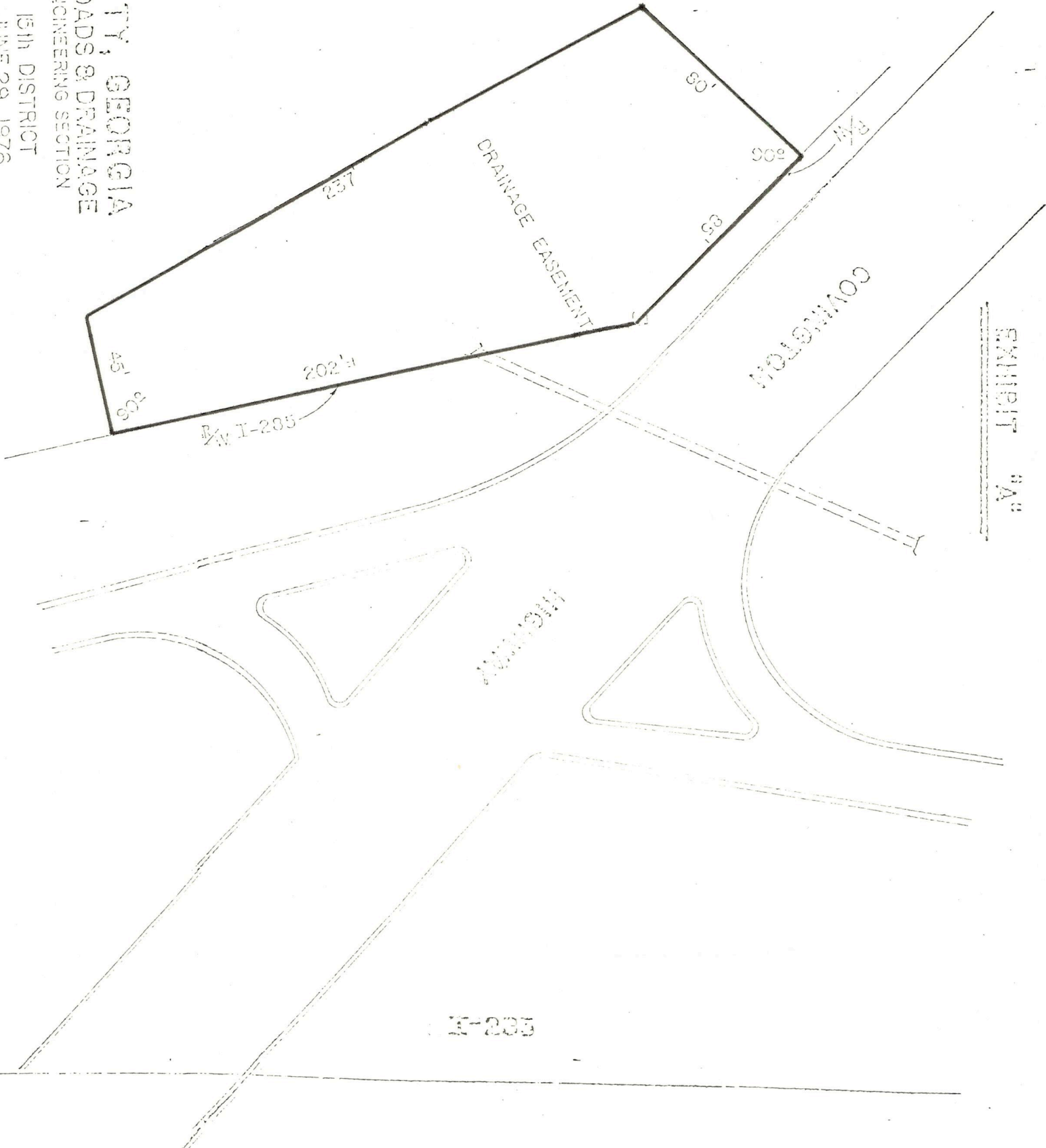


EXHIBIT "A"